

Journal of the Senate

FRIDAY, MAY 24, 2019

Pursuant to the Senate Rules, in the absence of the President, the Senate was called to order by the President *pro tempore*.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 84

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

Mr. President:

I am directed to inform the Senate that:

The House has considered Senate proposal of amendment to the following House bill:

H. 292. An act relating to miscellaneous natural resources and energy subjects.

And has severally concurred therein.

The Governor has informed the House that on May 23, 2019, he approved and signed bills originating in the House of the following titles:

H. 540. An act relating to approval of the amendments to the charter of the Town of Williston.

H. 544. An act relating to approval of amendments to the charter of the City of Burlington.

H. 549. An act relating to approval of the dissolution of Rutland Fire District No. 10.

H. 539. An act relating to approval of amendments to the charter of the Town of Stowe and to the merger of the Town and the Stowe Fire District No. 3.

H. 47. An act relating to the taxation of electronic cigarettes.

H. 460. An act relating to sealing and expungement of criminal history records.

H. 82. An act relating to the taxation of timber harvesting equipment.

H. 133. An act relating to miscellaneous energy subjects.

H. 104. An act relating to professions and occupations regulated by the Office of Professional Regulation.

Rules Suspended; Bills on Notice Calendar for Immediate Consideration

On motion of Senator Mazza, the rules were suspended, and the following bills, appearing on the Calendar for notice, were ordered to be brought up for immediate consideration:

H. 132, H. 541.

Report of Committee of Conference Accepted and Adopted on the Part of the Senate

H. 132.

Senator Balint, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

H. 132. An act relating to adopting protections against housing discrimination for victims of domestic and sexual violence.

Respectfully reports that it has met and considered the same and recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Housing Discrimination; Domestic and Sexual Violence * * *

Sec. 1. REDESIGNATION

(a) 9 V.S.A. chapter 138 (campgrounds) is redesignated as 9 V.S.A. chapter 136.

(b) 9 V.S.A. § 4470 (campgrounds; removal) is redesignated as 9 V.S.A. § 4410.

Sec. 2. 9 V.S.A. chapter 137 is amended to read:

CHAPTER 137. RESIDENTIAL RENTAL AGREEMENTS

Subchapter 1. General

§ 4451. DEFINITIONS

* * *

Subchapter 2. Residential Rental Agreements§ 4455. TENANT OBLIGATIONS; PAYMENT OF RENT

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Subchapter 3. Farm Employee Housing§ 4469. [Reserved.]§ 4469a. TERMINATION OF OCCUPANCY OF FARM EMPLOYEE HOUSING

* * *

Subchapter 4. Housing Discrimination; Domestic and Sexual Violence§ 4471. DEFINITIONS

As used in this subchapter:

(1) “Abuse” has the same meaning as in 15 V.S.A. § 1101.

(2) “Protected tenant” means a tenant who is:

(A) a victim of abuse, sexual assault, or stalking;

(B) a parent, foster parent, legal guardian, or caretaker with at least partial physical custody of a victim of abuse, sexual assault, or stalking.

(3) “Sexual assault” and “stalking” have the same meaning as in 12 V.S.A. § 5131.

§ 4472. RIGHT TO TERMINATE RENTAL AGREEMENT

(a) Notwithstanding a contrary provision of a rental agreement or of subchapter 2 of this chapter, a protected tenant may terminate a rental agreement pursuant to subsection (b) of this section without penalty or liability if he or she reasonably believes it is necessary to vacate a dwelling unit:

(1) based on a fear of imminent harm to any protected tenant due to abuse, sexual assault, or stalking; or

(2) if any protected tenant was a victim of sexual assault that occurred on the premises within the six months preceding the date of his or her notice of termination.

(b) Not less than 30 days before the date of termination, the protected tenant shall provide to the landlord:

(1) a written notice of termination; and

(2) documentation from one or more of the following sources supporting his or her reasonable belief that it is necessary to vacate the

dwelling unit:

(A) a court, law enforcement, or other government agency;

(B) an abuse, sexual assault, or stalking assistance program;

(C) a legal, clerical, medical, or other professional from whom the tenant, or the minor or dependent of the tenant, received counseling or other assistance concerning abuse, sexual assault, or stalking; or

(D) a self-certification of a protected tenant's status as a victim of abuse, sexual assault, or stalking, signed under penalty of perjury, on a standard form adopted for that purpose by:

(i) a federal or State government entity, including the federal Department of Housing and Urban Development or the Vermont Department for Children and Families; or

(ii) a nonprofit organization that provides support services to protected tenants.

(c) A notice of termination provided pursuant to subsection (b) of this section may be revoked and the rental agreement shall remain in effect if:

(1)(A) the protected tenant provides a written notice to the landlord revoking the notice of termination; and

(B) the landlord has not entered into a rental agreement with another tenant prior to the date of the revocation; or

(2)(A) the protected tenant has not vacated the premises as of the date of termination; and

(B) the landlord has not entered into a rental agreement with another tenant prior to the date of termination.

§ 4473. RIGHT TO CHANGE LOCKS; OTHER SECURITY MEASURES

Notwithstanding any contrary provision of a rental agreement or of subchapter 2 of this chapter:

(1) Subject to subdivision (2) of this subsection, a protected tenant may request that a landlord change the locks of a dwelling unit within 48 hours following the request:

(A) based on a fear of imminent harm to any protected tenant due to abuse, sexual assault, or stalking; or

(B) if any protected tenant was a victim of sexual assault that occurred on the premises within the six months preceding the date of his or her request.

(2) If the perpetrator of abuse, sexual assault, or stalking is also a tenant in the dwelling unit, the protected tenant shall include with his or her request a copy of a court order that requires the perpetrator to leave the premises.

(3) If the landlord changes the locks as requested, the landlord shall provide a key to the new locks to each tenant of the dwelling unit, not including the perpetrator of the abuse, sexual assault, or stalking who is subject to a court order to leave the premises.

(4) If the landlord does not change the locks as requested, the protected tenant may change the locks without the landlord's prior knowledge or permission, provided that the protected tenant shall:

(A) ensure that the new locks, and the quality of the installation, equal or exceed the quality of the original;

(B) notify the landlord of the change within 24 hours of installation;
and

(C) provide the landlord with a key to the new locks.

(5) Unless otherwise agreed to by the parties, a protected tenant is responsible for the costs of installation of new locks pursuant to this section.

(6)(A) A protected tenant may request permission of a landlord to install additional security measures on the premises, including a security system or security camera.

(B) A protected tenant:

(i) shall submit his or her request not less than seven days prior to installation;

(ii) shall ensure the quality and safety of the security measures and of their installation;

(iii) is responsible for the costs of installation and operation of the security measures; and

(iv) is liable for damages resulting from installation.

(C) A landlord shall not unreasonably refuse a protected tenant's request to install additional security measures pursuant to this subdivision (6).

§ 4474. CONFIDENTIALITY

An owner, landlord, or housing subsidy provider who possesses documentation or information concerning a protected tenant's status as a victim of abuse, sexual assault, or stalking shall keep the documentation or information confidential and shall not allow or provide access to another person unless:

- (1) authorized by the protected tenant;
- (2) required by a court order, government regulation, or governmental audit requirement; or
- (3) required as evidence in a court proceeding, provided:
 - (A) the documentation or information remains under seal; and
 - (B) use of the documentation or information is limited to a claim brought pursuant to section 4472 or 4473 of this title.

§ 4475. LIMITATION OF LIABILITY; ENFORCEMENT

Except in the case of gross negligence or willful misconduct, a landlord is immune from liability for damages to a protected tenant if he or she acts in good faith reliance on:

- (1) the provisions of this subchapter; or
- (2) information provided or action taken by a protected tenant pursuant to the provisions of this subchapter.

Sec. 3. PROTECTED TENANT SELF-CERTIFICATION; FORM

(a) The Vermont Network Against Domestic and Sexual Violence, in collaboration with the Vermont Apartment Owners Association and other interested parties, shall:

- (1) develop and make available a standard self-certification form for use by protected tenants pursuant to 9 V.S.A. § 4472(b);
- (2) provide the self-certification form to the Department for Children and Families, once developed; and
- (3) provide a status report regarding the form, its availability, and its use to the Senate Committee on Economic Development, Housing and General Affairs and to the House Committee on General, Housing, and Military Affairs on or before January 15, 2020.

Sec. 4. 9 V.S.A. chapter 139 is amended to read:

CHAPTER 139. DISCRIMINATION; PUBLIC ACCOMMODATIONS; RENTAL AND SALE OF REAL ESTATE

* * *

§ 4501. DEFINITIONS

As used in this chapter:

* * *

(11) “Abuse,” “sexual assault,” and “stalking” have the same meaning as in section 4471 of this title.

* * *

§ 4503. UNFAIR HOUSING PRACTICES

(a) It shall be unlawful for any person:

(1) To refuse to sell or rent, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling or other real estate to any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(2) To discriminate against, or to harass any person in the terms, conditions, ~~or privileges~~, and protections of the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection therewith, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling or other real estate that indicates any preference, limitation, or discrimination based on race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(4) To represent to any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking, that any dwelling or other real estate is not available for inspection, sale, or rental when the dwelling or real estate is in fact so available.

(5) To disclose to another person information regarding or relating to the status of a tenant or occupant as a victim of abuse, sexual assault, or stalking for the purpose or intent of:

(A) harassing or intimidating the tenant or occupant;

(B) retaliating against a tenant or occupant for exercising his or her rights;

(C) influencing or coercing a tenant or occupant to vacate the dwelling; or

(D) recovering possession of the dwelling.

(6) To discriminate against any person in the making or purchasing of loans or providing other financial assistance for real-estate-related transactions or in the selling, brokering, or appraising of residential real property, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(7) To engage in blockbusting practices, for profit, which may include inducing or attempting to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

(8) To deny any person access to or membership or participation in any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against any person in the terms or conditions of such access, membership, or participation, on account of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person is a recipient of public assistance, or because a person is a victim of abuse, sexual assault, or stalking.

* * *

(12) To discriminate in land use decisions or in the permitting of housing because of race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, disability, the presence of one or more minor children, income, or because of the receipt of public assistance, or because a person is a victim of abuse, sexual assault, or stalking, except as otherwise provided by law.

* * *

* * * Housing Health and Safety; Rental Housing
Health Code Enforcement * * *

Sec. 5. 18 V.S.A. § 5 is amended to read:

§ 5. DUTIES OF DEPARTMENT OF HEALTH

The Department of Health shall:

(1) Conduct studies, develop State plans, and administer programs and State plans for hospital survey and construction, hospital operation and maintenance, medical care, and treatment of substance abuse.

(2) Provide methods of administration and such other action as may be necessary to comply with the requirements of federal acts and regulations as relate to studies, development of plans and administration of programs in the fields of health, public health, health education, hospital construction and maintenance, and medical care.

(3) Appoint advisory councils, with the approval of the Governor.

(4) Cooperate with necessary federal agencies in securing federal funds ~~which~~ that become available to the State for all prevention, public health, wellness, and medical programs.

(5) Seek accreditation through the Public Health Accreditation Board.

(6) Create a State Health Improvement Plan and facilitate local health improvement plans in order to encourage the design of healthy communities and to promote policy initiatives that contribute to community, school, and workplace wellness, which may include providing assistance to employers for wellness program grants, encouraging employers to promote employee engagement in healthy behaviors, and encouraging the appropriate use of the health care system.

(7) Serve as the leader on State rental housing health laws.

(8) Provide policy assistance and technical support to municipalities concerning the implementation and enforcement of State rental housing health and safety laws.

Sec. 6. 18 V.S.A. § 603 is amended to read:

§ 603. RENTAL HOUSING SAFETY; INSPECTION REPORTS

(a)(1) When conducting an investigation of rental housing, a local health officer shall issue a written inspection report on the rental property using the protocols for implementing the Rental Housing Health Code of the Department or the municipality, in the case of a municipality that has established a code enforcement office.

(2) A written inspection report shall:

(A) contain findings of fact that serve as the basis of one or more violations;

(B) specify the requirements and timelines necessary to correct a violation;

(C) provide notice that the landlord is prohibited from renting the affected unit to a new tenant until the violation is corrected; and

(D) provide notice in plain language that the landlord and agents of the landlord must have access to the rental unit to make repairs as ordered by the health officer consistent with the access provisions in 9 V.S.A. § 4460.

(3) A local health officer shall:

(A) provide a copy of the inspection report to the landlord and any tenants affected by a violation by delivering the report electronically, in person, by first class mail, or by leaving a copy at each unit affected by the deficiency; and

(B)(i) if a municipality has established a code enforcement office, provide information on each inspection according to a schedule and in a format adopted by the Department in consultation with municipalities that have established code enforcement offices; or

(ii) if a municipality has not established a code enforcement office, provide information on each inspection to the Department within seven days of issuing the report using an electronic system designed for that purpose, or within 14 days by mail if the municipality is unable to utilize the electronic system.

(4) If an entire property is affected by a violation, the local health officer shall post a copy of the inspection report in a common area of the property and include a prominent notice that the report shall not be removed until authorized by the local health officer.

(5) A municipality shall make an inspection report available as a public record.

(b)(1) A local health officer may impose a ~~fine~~ civil penalty of not more than ~~\$100.00~~ \$200.00 per day for each violation that is not corrected by the date provided in the written inspection report, or when a unit is re-rented to a new tenant prior to the correction of a violation.

(2)(A) If the cumulative amount of penalties imposed pursuant to this subsection is \$800.00 or less, the local health officer, Department of Health, or State's Attorney may bring a civil enforcement action in the Judicial Bureau

pursuant to 4 V.S.A. chapter 29.

(B) The waiver penalty for a violation in an action brought pursuant to this subsection is 50 percent of the full penalty amount.

(3) If the cumulative amount of penalties imposed pursuant to this subsection is more than \$800.00, or if injunctive relief is sought, the local health officer, Department of Health, or State's Attorney may commence an action in the Civil Division of the Superior Court for the county in which a violation occurred.

(c) If a local health officer fails to conduct an investigation pursuant to section 602a of this title or fails to issue an inspection report pursuant to this section, a landlord or tenant may request that the Department, at its discretion, conduct an investigation or contact the local board of health to take action.

Sec. 7. 4 V.S.A. § 1102 is amended to read:

§ 1102. JUDICIAL BUREAU; JURISDICTION

(a) The Judicial Bureau is created within the Judicial Branch under the supervision of the Supreme Court.

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(21) Violations of State or municipal rental housing health and safety laws when the amount of the cumulative penalties imposed pursuant to 18 V.S.A. § 603 is \$800.00 or less.

* * *

(c) The Judicial Bureau shall not have jurisdiction over municipal parking violations.

(d) Three hearing officers appointed by the Court Administrator shall determine waiver penalties to be imposed for violations within the Judicial Bureau's jurisdiction, except:

~~(1) Municipalities~~ municipalities shall adopt full and waiver penalties for civil ordinance violations pursuant to 24 V.S.A. § 1979. For purposes of municipal violations, the issuing law enforcement officer shall indicate the appropriate full and waiver penalty on the complaint.

Sec. 8. RENTAL HOUSING HEALTH AND SAFETY ENFORCEMENT
SYSTEM; RECOMMENDATIONS; REPORT

(a) On or before January 15, 2020, in collaboration with the Rental Housing Advisory Board, the Department of Health and the Department of Public Safety shall develop recommendations for the design and

implementation of a comprehensive system for the professional enforcement of State rental housing health and safety laws, which shall include:

(1) an outline of options, including an option for a State government-run system, with a timeline and budget for each;

(2) a needs assessment outlining the demand for inspections based on inspection information collected pursuant to 18 V.S.A. § 603(a)(3) and subsection (c) of this section and other stakeholders and relevant sources; and

(3) any additional recommendations from the Rental Housing Advisory Board, the Department of Public Safety, the Department of Housing and Community Development, or other executive branch agencies.

(b) On or before September 30, 2019, the Department of Health shall provide an interim progress report to the Senate Committee on Economic Development, Housing and General Affairs and the House Committee on General, Housing, and Military Affairs.

(c) On or before August 1, 2019, each municipality in this State shall provide to the Department of Health summary information on its inspection activity from July 1, 2018 through June 30, 2019 in order to assist the Department in completing the needs assessment pursuant to subdivision (a)(2) of this section.

Sec. 9. STATE TREASURER RECOMMENDATION FOR FINANCING OF AFFORDABLE HOUSING INITIATIVE

(a) Evaluation. On or before January 15, 2020, the State Treasurer shall evaluate and report on options for funding and financing affordable housing in the State. The evaluation shall include:

(1) a plan to build upon the success of the affordable housing bond, created in 10 V.S.A. § 315, formed in coordination with the Vermont Housing and Conservation Board, the Vermont Housing Finance Agency, the Vermont Department of Housing and Community Development, and the Vermont Affordable Housing Coalition, for the creation or preservation of 1,000 housing units over five years for Vermonters with incomes up to 120 percent of the area median income as determined by the U.S. Department of Housing and Urban Development. In creating the plan, the State Treasurer and the other entities listed in this subdivision (a)(1) shall also consult with the business community, public and private housing developers, and experts in housing finance and affordable housing initiatives both in Vermont and nationwide;

(2) alternatives for financing the plan that take into consideration the use of appropriations, general obligation bonds, revenue bonds, investments,

new revenues, and other financing mechanisms, including initiatives undertaken by other states;

(3) the plan shall assume that the 1,000 units shall be in addition to what would otherwise have been created or preserved by State funding through the Vermont Housing and Conservation Board equal to its FY 2019 base general fund and capital appropriations, and the other resources it typically leverages; and

(4) provisions for meeting housing needs consistent with publicly developed plans such as Vermont's Consolidated Plan, the 2017 Vermont Roadmap to End Homelessness, and Vermont Housing Finance Agency's Qualified Action Plan in the following areas:

(A) creating new multifamily and single-family homes;

(B) addressing blighted properties and other existing housing stock requiring reinvestment, including in mobile home parks;

(C) providing service-supported housing in coordination with the Agency of Human Services, including for those who are elderly, homeless, in recovery, experiencing severe mental illness or other disability, or leaving incarceration; and

(D) providing for the housing needs of households with extremely low income.

(b) Cooperation. In conducting the evaluation described in subsection (a) of this section, the State Treasurer shall have the cooperation of the Agency of Commerce and Community Development and the Department of Taxes.

(c) Report. The State Treasurer shall submit the report with recommendations based on the evaluation described in subsection (a) of this section to the Senate Committees on Economic Development, Housing and General Affairs, on Appropriations, and on Finance and the House Committees on General, Housing, and Military Affairs, on Appropriations, and on Ways and Means. The report shall also include a legislative proposal to implement the recommendations proposed in the report.

* * * Effective Date * * *

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2019.

*REBECCA A. BALINT
ALISON CLARKSON
MICHAEL D. SIROTKIN*

Committee on the part of the Senate

*THOMAS S. STEVENS
MARIANNA R. GAMACHE
RANDALL D. SZOTT*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative.

House Proposal of Amendment Concurred In with Amendment

S. 162.

House proposal of amendment to Senate bill entitled:

An act relating to promoting economic development.

Was taken up.

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

* * * New Remote Worker Grant Program * * *

Sec. 1. 2018 Acts and Resolves No. 197, Sec. 1 is amended to read:

Sec. 1. NEW REMOTE WORKER GRANT PROGRAM

(a) As used in this section:

(1) “New remote worker” means an individual who:

(A) is a full-time employee of a business with its domicile or primary place of business within or outside Vermont;

(B) becomes a full-time resident of this State on or after January 1, 2019; and

(C) performs the majority of his or her employment duties remotely from a home office or a co-working space located in this State.

(2) “Qualifying remote worker expenses” means actual costs a new remote worker incurs for one or more of the following that are necessary to perform his or her employment duties:

(A) relocation to this State;

(B) computer software and hardware;

(C) broadband access or upgrade; and

(D) membership in a co-working or similar space.

(b)(1) The Agency of Commerce and Community Development shall design and implement the New Remote Worker Grant Program, which shall include a simple certification process to certify new remote workers and certify qualifying expenses for a grant under this section.

(2) A new remote worker may be eligible for a grant under the Program for qualifying remote worker expenses in the amount of not more than \$5,000.00 per year, not to exceed a total of \$10,000.00 per individual new remote worker over the life of the Program.

(3) The Agency shall award grants under the Program on a first-come, first-served basis, subject to available funding, as follows:

~~(A) not more than \$125,000.00 in calendar year 2019;~~

~~(B) not more than \$250,000.00 in calendar year 2020;~~

~~(C) not more than \$125,000.00 in calendar year 2021; and~~

~~(D) not more than \$100,000.00 per year in each subsequent calendar year, to the extent funding remains available.~~

(c) The Agency shall:

(1) adopt procedures for implementing the Program;

(2) promote awareness of the Program, including through coordination with relevant trade groups and by integration into the Agency's economic development marketing campaigns; and

(3) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the Program.

(d) On or before October 1, 2019, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the procedures adopted pursuant to subdivision (c)(1) of this section;

(2) the promotion and marketing of the Program pursuant to subdivision (c)(2) of this section; and

(3) any additional recommendations for qualifying remote worker expenses or qualifying workers that should be eligible under the Program, and any recommendations for the maximum amount of the grant.

* * * Vermont Employment Growth Incentive Program * * *

Sec. 2. REPEAL

32 V.S.A. § 3336 (enhanced incentive for workforce training) is repealed.

Sec. 3. VERMONT ECONOMIC PROGRESS COUNCIL; ECONOMIC DEVELOPMENT; STUDY

(a) The Agency of Commerce and Community Development, in consultation with the Vermont Economic Progress Council and other interested stakeholders, shall study the creation of statewide economic development tools that achieve the goals of our current economic development programs, including the Vermont Employment Growth Incentive Program, the Tax Increment Financing Program, and the Vermont Training Program. The study shall include options that do not utilize resources from the Education Fund and options for how to sustain economic development in towns with both small and large populations.

(b) On or before January 15, 2020, the Agency shall submit a report to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance with recommendations on the feasibility of the tools described in subsection (a) of this section, and if feasible, how they would be implemented.

* * * Permitting and State-Owned Airports * * *

Sec. 4. FINDINGS

The General Assembly finds:

(1) On January 15, 2019, the Secretary of Commerce and Community Development and the Secretary of Transportation updated the State's Economic Development and Economic Development Marketing Plans to incorporate the marketing of State-owned airports as an important tool for attracting and retaining businesses, enhancing workforce development, spearheading crucial technology advancements, and growing commerce essential to Vermont's future.

(2) On January 15, 2019, the Secretary of Transportation submitted to the General Assembly its Feasibility Evaluation of Electric Vehicle Charging Stations, Electric Aircraft Charging Stations, and Renewable Energy Generating Plants at State-Owned Airports Pursuant to Act 108 of 2018. The Evaluation noted that State-owned airports are suitable sites for electric vehicle charging stations and electric aircraft charging stations, and that solar photovoltaic installations can be compatible with airport operations.

Sec. 5. DEFINITIONS

As used in this act:

(1) “State-owned airport master permit” means all permits necessary to construct infrastructure, buildings, runway access, and related assets in support of general aviation and aviation-focused commercial and manufacturing enterprises at State-owned airports, excluding activities associated with runway expansion and infrastructure required for general airport operations. Permits included in the State-owned airport master permit include any applicable Act 250 permit, any applicable permits issued by the Agencies of Natural Resources and of Transportation, the Division of Fire Safety, the Natural Resources Board, and the Public Utility Commission.

(2) “State-owned airport permit master plan” means a comprehensive plan to construct infrastructure, buildings, runway access, and related assets in support of general aviation and aviation-focused commercial and manufacturing enterprises at State-owned airports, excluding activities associated with runway expansion and infrastructure required for general airport operations. State-owned airport permit master plans may be developed by the Agency of Transportation, in consultation with the Agency of Commerce and Community Development, for the review and approval by the Agency of Natural Resources, the Department of Public Safety, the Natural Resources Board, and the Public Utility Commission prior to the submission of applications for permits in the State-owned airport master permit.

(3) “Renewable energy” has the same meaning as in 30 V.S.A. § 8002.

(4) “Renewable energy generating plant” means real and personal property, including any equipment, structure, or facility used for or directly related to the generation of electricity from renewable energy.

Sec. 6. APPLICATIONS FOR MASTER PERMITS

(a) The Agency of Transportation, in consultation with the Agency of Commerce and Community Development, is encouraged to obtain, as swiftly as practicable, all permits in the State-owned master airport permit necessary for growth, development, and facility upgrades at each State-owned airport. State-owned airport permit master plans shall include charging stations for electrified aircraft and, when practical, renewable energy generating plants that advance the State’s preference to utilize all roof space for photovoltaic installations.

(b) In processing permits in the State-owned airport master permit sought by the Agency of Transportation, State agencies, departments, commissions, and boards may waive permit fees for all permits in the State-owned airport master permit provided that a State-owned airport permit master plan was

reviewed and approved prior to the submission of any applications for permits in the State-owned master airport permit.

* * * Delivery of Vermont Technical College

Degree Programs at CTE Centers; Study; Pilot Programs * * *

Sec. 7. DELIVERY OF VERMONT TECHNICAL COLLEGE DEGREE
PROGRAMS AT CAREER TECHNICAL EDUCATION CENTERS
IN VERMONT; STUDY; PILOT PROGRAMS

(a) Study by Vermont Technical College. The Vermont Technical College (VTC) shall study how to best deliver all or a portion of fully accredited VTC associate degree programs at CTE centers in Vermont. The study shall explore the viability of a new program to provide a locally convenient and financially affordable option to high school students and adult learners who want, while still enrolled with their CTE centers, to also enroll in a high-demand, high-skill, industry-specific associate degree offering. VTC shall collaborate with the CTE centers and the Agency of Education in conducting the study. In structuring the study, VTC shall consider:

(1) alignment of degree programs with workforce priority needs and career pathways identified by the Agency of Education;

(2) prevailing industry wages and gender equity in each identified career pathway;

(3) coherence with existing, State-supported postsecondary programs for secondary students, such as dual enrollment and early college programs under the flexible pathways laws, including potential impacts to, and alignment with, those programs;

(4) sustainable funding models, including costs for students, institutions, and adults;

(5) the financial risks of programmatic and funding model changes, with the goals of not negatively impacting the accreditation status or the financial status of any institution; and

(6) management of class scheduling and CTE partnerships to ensure access and programmatic success.

(b) Reports.

(1) On or before December 15, 2019, VTC shall submit a written report to the House and Senate Committees on Education and the State Board of Education with its findings and recommendations from the study required under subsection (a) of this section.

(2) If VTC recommends from its study that all or a portion of fully

accredited VTC associate degree programs should be offered at CTE centers in Vermont, then VTC shall, in the fall 2020 semester, conduct up to two pilot programs that offer these degree programs in at least two CTE centers. If these pilot programs are conducted, on or before January 15, 2021, VTC shall submit a supplemental written report to the House and Senate Committees on Education and the State Board of Education with its findings and recommendations from the pilot programs.

* * * Workforce Training;

Vermont Training Program; Weatherization * * *

Sec. 8. VERMONT TRAINING PROGRAM; WORKFORCE TRAINING
ALLOCATIONS

(a) In an effort to promote access to training opportunities for Vermont small businesses, and to increase the resources available for employees to obtain credentials of value or apprenticeships, of the amounts appropriated to the Agency of Commerce and Community Development for the Vermont Training Program in fiscal year 2020:

(1) the Agency, working in partnership with the Department of Labor to identify appropriate opportunities, shall employ its best efforts to allocate 25 percent of Program funding to provide training that results in a credential of value or apprenticeship; and

(2) the Agency shall employ its best efforts to allocate 25 percent of Program funding to provide training for businesses with 50 or fewer employees.

(b) In its annual report submitted pursuant to 10 V.S.A. § 531(k) the Agency shall specifically address:

(1) whether it was able to achieve the allocations specified in subsection (a) of this section, and if not, the reasons therefor;

(2) the distribution of training funds by the number of employees of each business that benefitted from training;

(3) the distribution of training funds that resulted in an employee obtaining a credential of value or apprenticeship; and

(4) the extent to which the Program benefitted businesses with 50 or fewer employees.

Sec. 9. 10 V.S.A. § 531 is amended to read:

§ 531. THE VERMONT TRAINING PROGRAM

* * *

(d) In order to avoid duplication of programs or services and to provide the greatest return on investment from training provided under this section, the Secretary of Commerce and Community Development shall:

(1) consult with the Commissioner of Labor regarding whether the grantee has accessed, or is eligible to access, other workforce education and training resources;

(2) disburse grant funds only for training hours that have been successfully completed by employees; ~~provided that,~~ subject to the following:

(A) except for an award under an enhanced incentive for workforce training as provided in 32 V.S.A. § 3336, a grant for on-the-job training shall:

(i) for a business with 50 or fewer employees, either provide not more than 75 percent of wages for each employee in training or not more than 75 percent of trainer expense, but not both; and

(ii) for all other businesses, either provide not more than 50 percent of wages for each employee in training or not more than 50 percent of trainer expense, but not both, and further provided that; and

(B) training shall be performed in accordance with a training plan that defines the subject of the training, the number of training hours, and how the effectiveness of the training will be evaluated; and

(3) use funds under this section only to supplement training efforts of employers and not to replace or supplant training efforts of employers.

* * *

(k) Annually on or before January 15, the Secretary shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs. In addition to the reporting requirements under section 540 of this title, the report shall identify:

(1) all active and completed contracts and grants;

(2) from among the following, the category the training addressed:

(A) preemployment training or other training for a new employee to begin a newly created position with the employer;

(B) preemployment training or other training for a new employee to begin in an existing position with the employer;

(C) training for an incumbent employee who, upon completion of training, assumes a newly created position with the employer;

(D) training for an incumbent employee who, upon completion of

training, assumes a different position with the employer;

(E) training for an incumbent employee to upgrade skills;

(3) for the training identified in subdivision (2) of this subsection whether the training is ~~onsite~~ on-site or classroom-based;

(4) the number of employees served;

(5) the average wage by employer;

(6) any waivers granted;

(7) the identity of the employer, or, if unknown at the time of the report, the category of employer;

(8) the identity of each training provider;

(9) whether training results in a wage increase for a trainee, and the amount of increase; ~~and~~

(10) the aggregated median wage of employees invoiced for training during the reporting period;

(11) the percentage growth in wages for all wage earners in the State during the reporting period; and

(12) the number, type, and description of grants for work-based learning programs and activities awarded pursuant to subsection (e) of this section.

Sec. 10. WORKFORCE TRAINING; WEATHERIZATION

(a) In fiscal year 2020 the Office of Economic Opportunity within the Department for Children and Families shall provide grant funding to the five Home Weatherization Assistance Programs for the purpose of recruiting and training individuals in the home weatherization industry.

(b) Grantees may use the funding for:

(1) recruiting Vermonters who are eligible for funding under the federal Workforce Innovation Opportunity Act;

(2) operations for weatherization training programs, including training coordinators across the State; and

(3) stipends and wage subsidies for training participants.

(c) The Home Weatherization Assistance Programs are also encouraged to apply for the federal Workforce Innovation Opportunity Act grant funds through the Department of Labor to supplement and enhance the weatherization training programs.

(d) On or before January 15, 2020, the Departments of Labor and for

Children and Families shall report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs with recommendations on best practices for recruiting, training, and retaining the weatherization workforce in this State.

Sec. 11. 16 V.S.A. § 2846 is amended to read:

§ 2846. NONDEGREE ADVANCEMENT GRANTS

(a) The Corporation may establish grant programs an advancement grant program for residents pursuing nondegree education and training opportunities who do not meet the definition of student in subdivision 2822(3) of this title, and who may not meet the requirements of this subchapter.

(b) Nondegree grants Advancement grants may be used at institutions that are not approved postsecondary education institutions.

(c) The Corporation may adopt rules or establish policies, procedures, standards, and forms for nondegree advancement grants, including the requirements for applying for and using the grants and the eligibility requirements for the institutions where the grants may be used.

Sec. 12. 10 V.S.A. § 546 is added to read:

§ 546. STATE POSTSECONDARY ATTAINMENT GOAL

(a) It is the policy of the State of Vermont to:

(1) grow awareness of postsecondary pathways and the individual and public value of continued education after high school;

(2) expand postsecondary access so that students of all ages and backgrounds can pursue postsecondary education and training;

(3) increase postsecondary success by ensuring that Vermonters have the supports they need to complete a credential of value; and

(4) maximize partnerships across and within sectors to achieve State workforce development and education goals.

(b) In order to meet workforce and labor market demands, the State of Vermont shall take steps necessary to achieve a postsecondary attainment goal that not less than 70 percent of working-age Vermonters possess a degree or credential of value, as defined by the State Workforce Development Board, by the year 2025.

* * * Adult Career and Technical Education System * * *

Sec. 13. ADULT CTE SYSTEM

(a) Findings; purpose.

(1) Findings. The General Assembly finds:

(A) Like many rural states, Vermont faces demographic realities that have resulted in an historically low unemployment rate and created obstacles for employers that seek to hire and retain enough fully trained employees.

(B) Notwithstanding this high employer demand, due to rapidly changing technology and evolving business needs, potential employees may lack the particular skills and training necessary to qualify for available jobs.

(C) In order to assist employers and employees in matching demand to requisite skills, Vermont has a broad diversity of adult workforce education and training programs offered by multiple providers, including programs administered or funded by State government, educational institutions, business and industry, and private professionals.

(2) Purpose. Consistent with the goals and purposes of 2018 Acts and Resolves No. 189, pursuant to which the State Workforce Development Board and other stakeholders are currently engaged in planning the design and implementation of a fully integrated workforce development system, it is the purpose of the General Assembly to explore the creation of a fully integrated adult career and technical education system that:

(A) provides Vermonters throughout the State with high quality programs that are standardized, replicable, and offered with regularity and consistency;

(B) coordinates, or integrates where appropriate, the many programs and providers to maximize the efficient use of training resources; and

(C) features a governance structure that provides consistency across the system whenever appropriate, but also provides the flexibility necessary to respond to local and regional workforce demands.

(b) Adult CTE System.

(1) The Department of Labor, in collaboration with the Agency of Education, the Vermont State Colleges, and the Vermont Adult Technical Education Association, shall issue a request for proposals for consulting services, the purpose of which shall be to consider and report to the General Assembly on the design, implementation, and costs of an integrated adult career and technical education system that achieves the results specified in subdivision (a)(2) of this section.

(2) In performing his or her work, the consultant shall conduct a broad-based stakeholder engagement process to solicit input from interested parties, and State agencies and departments shall provide the consultant with necessary information and assistance within their relative areas of expertise.

(c) Report. On or before January 15, 2020 the Department of Labor shall submit a report on the work of the consultant selected and any recommendations for legislative action to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs.

* * * Workforce Recruitment; Military Base Recruitment * * *

Sec. 14. RELOCATION SUPPORT SYSTEM

(a) The Department of Labor shall:

(1) collaborate with key employers and nongovernmental organizations to ensure that appropriate expertise is available to program staff and individuals looking to enter Vermont's job market, through referrals or other information sharing mechanisms;

(2)(A) coordinate available information for each region that includes labor market information, housing and education information, recreation information, and other relevant resources; and

(B) make the information easily accessible for interested individuals to assist in aspects of preliminary decision making; and

(3) convene regional, multidisciplinary teams that:

(A) comprise partners with expertise from relevant sectors, including housing, transportation, education, health, child care, recreation, and economic development; and

(B) provide community-level knowledge, support, and services to best meet the needs of prospective employees.

(b) State agencies and State-funded programs shall coordinate with the Department to ensure that services and information that could assist a person in relocating to Vermont are made available through an integrated, employee-centered system.

Sec. 15. ON-BASE RECRUITMENT PILOT PROGRAM

(a) The Department of Labor shall work with the Vermont National Guard and public and private employers in health care, construction, manufacturing, business services, transportation, and human services to pilot an on-base recruitment effort that encourages service members separating from military

service to relocate to Vermont.

(b) The Department shall coordinate with the Agency of Commerce and Community Development to direct available marketing and outreach funds to support targeted recruitment events held on military bases.

(c) The Department shall provide limited organizational support to employers interested in participating in private-pay travel to military bases in conjunction with other employers, representatives of the Vermont National Guard, and State officials for the purpose of promoting employment and relocation to Vermont.

(d) Not more than \$25,000.00 in General Funds may be allocated to the Department to support staff time, supplies, necessary travel, and other related costs.

(e) On or before January 15, 2020, the Department shall report to the House Committees on Commerce and Economic Development and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations concerning implementation and outcomes of this pilot program.

* * * Workforce Training and Credentialing; Nurse Educators;
New Americans; Workers with Barriers to Employment * * *

Sec. 16. OFFICE OF PROFESSIONAL REGULATION; REPORT

(a) The Office of Professional Regulation, in consultation with the Vermont Board of Nursing, Vermont State Colleges, the University of Vermont, Norwich University, and other interested stakeholders, shall review statutory, regulatory, and accreditation standards for nursing programs within the State and nationally with the purpose of identifying barriers to recruitment and retention of nurse educators in nursing education programs.

(b) The Office of Professional Regulation shall evaluate the appropriateness of the level of credential and experience currently required for nurse educators in clinical settings.

(c) On or before December 15, 2019, the Office of Professional Regulation shall report its findings, including recommendations for any statutory or regulatory changes to facilitate recruitment and retention of nurse faculty, to the House Committees on Commerce and Economic Development and on Government Operations and to the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations.

Sec. 17. STUDY; WORKFORCE DEVELOPMENT OPPORTUNITIES FOR REFUGEES, IMMIGRANTS, AND ASYLUM SEEKERS

(a) Creation. There is created a task force on workforce development opportunities for refugees, immigrants, and asylum seekers living in Vermont.

(b) Membership. The task force shall be composed of the following members:

(1) the State Refugee Coordinator;

(2) a member with expertise in new American workforce development issues appointed by the Agency of Human Services Secretary;

(3) the executive director of AALV or designee;

(4) the president of Vermont's U.S. Committee for Refugees and Immigrants or designee;

(5) the director of CVOEO's financial futures program or designee;

(6) a representative of Burlington's Community Economic Development Office's Sustainability, Housing, and Economic Development department;

(7) two Vermont employers, one of whom is engaged in business in the agricultural sector and one of whom is engaged in business in another sector, with experience hiring and cultivating new American workers appointed by the Chair of the State Workforce Development Board;

(8) two members of Vermont's refugee, immigrant, and immigrant communities, one appointed by each of AALV and Vermont's U.S. Committee for Refugees and Immigrants;

(9) an appointee of the University of Vermont with research expertise in refugee and New American migration in Vermont;

(10) a member appointed by the Vermont Migrant Education Project;

(11) a member appointed by the Community Asylum Seekers Project;
and

(12) a member appointed by Rutland Welcomes.

(c) Powers and duties. The task force shall study the following:

(1) recommendations identified in relevant studies and reports;

(2) cultural competency support needed in Vermont's employment settings;

(3) training, apprenticeship, and mentorship needs and opportunities;

(4) tools and supports needed for refugees to effectively apply preexisting educational and professional credentials in Vermont settings; and

(5) additional supports needed to ensure employment opportunities,

including child care and transportation.

(d) Meetings.

(1) The State Refugee Coordinator shall call the first meeting of the task force to occur on or before September 1, 2019.

(2) The task force shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The task force shall meet not more than six times and shall cease to exist on January 15, 2020.

(e) Report. On or before December 1, 2019, the task force shall report to the House Committees on Commerce and Economic Development, on Government Operations, and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs, on Government Operations, and on Appropriations concerning its findings, recommendations for proposed legislation, and investments in order of priority.

Sec. 18. DEPARTMENT OF LABOR; FIDELITY BONDS

Of the amounts appropriated to the Department of Labor in fiscal year 2020 from the Workforce Education and Training Fund, the Department shall allocate not more than \$3,000.00 to purchase fidelity bonds through the Federal Bonding Program to provide insurance against theft or loss for insurers to hire workers with barriers to employment.

Sec. 19. REGISTRY OF EMPLOYERS

(a) The Department of Labor shall create and maintain on its website a registry of employers who accept applications and are willing to hire workers with barriers to employment, including workers in recovery from addiction and workers with past incarceration.

(b) On or before January 15, 2020, the Department shall report to the House Committees on Commerce and Economic Development and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations concerning the creation of the registry and the extent the registry assisted employers and employees with barriers to employment.

Sec. 20. CORRECTIONS; WORKFORCE TRAINING

(a)(1) On or before October 10, 2019, the Department of Corrections and the Department of Labor shall execute a memorandum of understanding regarding a standardized program of education and training for all new and

existing probation and parole officers that includes components related to:

(A) minimizing barriers for offenders to obtaining and maintaining employment; and

(B) minimizing the impact of program and supervision requirements on the offender's employment, including monitoring and facilitating compliance with Department of Corrections case plan goals based on best practices and consistent with public safety.

(2) The Departments shall provide written notice when the memorandum of understanding is executed to the chairs of the House Committees on Commerce and Economic Development and on Corrections and Institutions and to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions.

(3) The Departments shall ensure that all incumbent probation and parole officers receive the education and training under the program on or before July 1, 2020.

(b) The Department of Corrections shall collaborate with the Department of Motor Vehicles and other partners as necessary to ensure that a sentenced inmate is provided with at least one form of government-issued identification, not to include an inmate identification card, upon release from incarceration.

(c)(1) On or before August 15, 2019, the Departments of Corrections and Labor shall report to the Joint Legislative Justice Oversight Committee concerning the Departments' progress towards developing the memorandum of understanding as required by this section.

(2) On or before December 15, 2020, the Departments of Corrections and Labor shall report to the House Committees on Commerce and Economic Development and on Corrections and Institutions and to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions concerning the implementation of this section.

* * * Vermont Talent Pipeline Management Project * * *

Sec. 21. VERMONT TALENT PIPELINE MANAGEMENT PROJECT

(a) The Vermont Talent Pipeline Management Project brings value to Vermont's workforce and economic development initiatives by:

(1) convening employers by sector to create industry specific partnerships and employer informed initiatives aimed at addressing skill gaps;

(2) engaging education partners to develop and align programs that meet employer and incumbent needs; and

(3) highlighting policy, practice, and funding challenges that prevent access to training or that inhibit advancement of workers within high need areas of Vermont's economy.

(b) The Vermont Talent Pipeline Management Project is encouraged to collaborate in Vermont's workforce and economic development systems by:

(1) organizing, convening, and maintaining employer collaboratives in key sectors of the economy, identified by available labor market information;

(2) broadly sharing competency and credential requirements learned from employer collaboratives, and specifically engaging training and education partners in the development of new or modification of existing programs; and

(3) using a continuous improvement process to ensure employer needs are met.

* * * International Trade and Development * * *

Sec. 22. INTERNATIONAL TRADE, EDUCATION, AND CULTURAL EXCHANGE

On or before December 15, 2019, the Agency of Commerce and Community Development shall review and report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs on effective mechanisms to collaborate with regional partners and form formal partnerships that will promote international trade, as well as educational and cultural exchanges, between and among Vermont, the New England states, and foreign nations.

* * * Agency of Commerce and Community Development;
Structure and Organization * * *

Sec. 23. AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT; STRUCTURE AND ORGANIZATION; REPORT

On or before January 15, 2020, the Secretary of Commerce and Community Development shall review and report to the House Committees on Commerce and Economic Development and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations concerning one or more proposals to amend the structure and organization of the Agency in order to enhance its ability to achieve its purposes and perform its duties.

* * * Ski Tramways * * *

Sec. 24. 31 V.S.A. § 707 is amended to read:

§ 707. REGISTRATION AND FEES

* * *

(e)(1) All fees collected under this section shall be credited to a special fund for the Department to be expended for carrying out its duties under this chapter and may also be expended as provided pursuant to subdivision (2) of this subsection.

(2) The Passenger Tramway Board may expend amounts that it determines to be appropriate from the special fund established pursuant to subdivision (1) of this subsection for the purpose of contributing to ski lift mechanic education, job training, and apprenticeship programs.

* * * State Workforce Development Board * * *

Sec. 25. 10 V.S.A. § 541a(d) is amended to read:

(d) Operation of Board.

(1) Member representation.

(A) A member of the State Board may send a designee that meets the requirements of subdivision (B) of this subdivision (1) to any State Board meeting who shall count toward a quorum and shall be allowed to vote on behalf of the Board member for whom he or she serves as a designee.

(B) Members of the State Board or their designees who represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority or relevant subject matter expertise within the organizations, agencies, or entities.

(C) The members of the Board shall represent diverse regions of the State, including urban, rural, and suburban areas.

(2) Chair. The Governor shall select a chair for the Board from among the business representatives appointed pursuant to subdivision (c)(18) of this section.

(3) Meetings. The Board shall meet at least three times annually and shall hold additional meetings upon call of the Chair.

(4) ~~Work groups; task forces~~ Committees; work groups; ad hoc committees. The Chair, in consultation with the Commissioner of Labor, may:

(A) assign one or more members or their designees to standing committees, ad hoc committees, or work groups to carry out the work of the

Board; and

(B) ~~appoint one or more members of the Board, or nonmembers of the Board, or both, to one or more task forces for a discrete purpose and duration to a standing committee, ad hoc committee, or work group and determine whether the individual serves as an advisory or voting member, provided that the number of voting nonmembers on a standing committee shall not exceed the number of Board members or their designees.~~

(5) Quorum meetings; voting.

(A) A majority of the sitting members of the Board shall constitute a quorum, and to be valid any action taken by the Board shall be authorized by a majority of the members present and voting at any regular or special meeting at which a quorum is present.

(B) The Board may permit one or more members to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication, including an electronic, telecommunications, and video- or audio-conferencing conference telephone call, by which all members participating may simultaneously or sequentially communicate with each other during the meeting. A member participating in a meeting by this means is deemed to be present in person at the meeting.

(C) The Board shall deliver electronically the minutes for each of its meetings to each member of the Board and to the Chairs of the House Committees on Education and on Commerce and Economic Development, and to the Senate Committees on Education and on Economic Development, Housing and General Affairs.

(D) The Board may adopt in its bylaws the quorum, membership, and procedural requirements for standing committees.

(6) Reimbursement.

(A) Legislative members of the Board shall be entitled to compensation and expenses as provided in 2 V.S.A. § 406.

(B) Unless otherwise compensated by his or her employer for performance of his or her duties on the Board, a nonlegislative member of the Board shall be eligible for per diem compensation of \$50.00 per day for attendance at a meeting of the Board, and for reimbursement of his or her necessary expenses, which shall be paid through funds available for that purpose under the Workforce Innovation and Opportunity Act of 2014.

(7) Conflict of interest. A member of the Board shall not:

(A) vote on a matter under consideration by the Board:

(i) regarding the provision of services by the member, or by an entity that the member represents; or

(ii) that would provide direct financial benefit to the member or the immediate family of the member; or

(B) engage in any activity that the Governor determines constitutes a conflict of interest as specified in the State Plan required under 29 U.S.C. § 3112 or 3113.

(8) Sunshine provision. The Board shall make available to the public, on a regular basis through open meetings, information regarding the activities of the Board, including information regarding the State Plan adopted pursuant to 29 U.S.C. § 3112 or 3113 and prior to submission of the State Plan to the U.S. Secretary of Labor, information regarding membership, and, on request, minutes of formal meetings of the Board.

* * * Appropriations * * *

Sec. 26. APPROPRIATIONS

The amounts appropriated from the General Fund in Sec. B.1101(23) of H.542 (2019) for economic development initiatives shall be allocated as follows:

(1) \$450,000.00 to the Agency of Commerce and Community Development as follows:

(A) \$225,000.00 for economic development marketing pursuant to its authority in 3 V.S.A. § 2476(c) to execute the State's core Economic Development Marketing Plan through paid, owned, and earned media, utilizing technology, data, and analysis tools; and

(B) \$225,000.00 to identify, recruit, and provide relocation assistance to workers, including:

(i) identifying target audiences;

(ii) targeting through digital and social media; and

(iii) implementing strategies that convert visitors to residents and awarding grants for regional partnerships to help recruitment efforts at the local and regional levels.

(2) \$1,145,000.00 to the Department of Labor as follows:

(A) \$275,000.00 to implement a relocation support system and provide services pursuant to Sec. 14 of this act; and

(B) \$870,000.00 for workforce development and training as follows:

(i) \$350,000.00 for grants to provide weatherization training pursuant to Sec. 10 of this act;

(ii) \$50,000.00 for a grant to the Community College of Vermont to purchase equipment to provide robotics training at its Rutland location; and

(iii) \$470,000.00 to the workforce education and training fund created in 10 V.S.A. § 543 to expand opportunities for apprenticeships, training, and adult career and technical education, which may include funding to replicate in additional locations the robotics training program at the Rutland location of the Community College of Vermont.

* * * Effective Dates * * *

Sec. 27. EFFECTIVE DATES

This act shall take effect on July 1, 2019, except that Secs. 5–6 (State-owned airports) shall take effect on passage.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, Senators Brock, Sirotkin and Bray moved that the Senate concur in the House proposal of amendment with an amendment as follows:

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

* * * State-Owned Airport Permitting * * *

Sec. 1. FINDINGS

The General Assembly finds:

(1) On January 15, 2019, the Secretary of Commerce and Community Development and the Secretary of Transportation updated the State's Economic Development and Economic Development Marketing Plans to incorporate the marketing of State-owned airports as an important tool for attracting and retaining businesses, enhancing workforce development, spearheading crucial technology advancements, and growing commerce essential to Vermont's future.

(2) On January 15, 2019, the Secretary of Transportation submitted to the General Assembly its Feasibility Evaluation of Electric Vehicle Charging Stations, Electric Aircraft Charging Stations, and Renewable Energy Generating Plants at State-Owned Airports Pursuant to Act 108 of 2018. The Evaluation noted that State-owned airports are suitable sites for electric vehicle charging stations and electric aircraft charging stations, and that solar photovoltaic installations can be compatible with airport operations.

Sec. 2. DEFINITIONS

As used in this act:

(1) “State-owned airport master permit” means all permits necessary to construct infrastructure, buildings, runway access, and related assets in support of general aviation and aviation-focused commercial and manufacturing enterprises at State-owned airports, excluding activities associated with runway expansion and infrastructure required for general airport operations. Permits included in the State-owned airport master permit include any applicable Act 250 permit, any applicable permits issued by the Agencies of Natural Resources and of Transportation, the Division of Fire Safety, the Natural Resources Board, and the Public Utility Commission.

(2) “State-owned airport permit master plan” means a comprehensive plan to construct infrastructure, buildings, runway access, and related assets in support of general aviation and aviation-focused commercial and manufacturing enterprises at State-owned airports, excluding activities associated with runway expansion and infrastructure required for general airport operations. State-owned airport permit master plans may be developed by the Agency of Transportation, in consultation with the Agency of Commerce and Community Development, for the review and approval by the Agency of Natural Resources, the Department of Public Safety, the Natural Resources Board, and the Public Utility Commission prior to the submission of applications for permits in the State-owned airport master permit.

(3) “Renewable energy” has the same meaning as in 30 V.S.A. § 8002.

(4) “Renewable energy generating plant” means real and personal property, including any equipment, structure, or facility used for or directly related to the generation of electricity from renewable energy.

Sec. 3. APPLICATIONS FOR MASTER PERMITS

(a) The Agency of Transportation, in consultation with the Agency of Commerce and Community Development, is encouraged to obtain, as swiftly as practicable, all permits in the State-owned airport master permit necessary for growth, development, and facility upgrades at each State-owned airport. State-owned airport permit master plans shall include charging stations for electrified aircraft and, when practicable, renewable energy generating plants that advance the State’s preference to utilize all roof space for photovoltaic installations.

(b) In processing permits in the State-owned airport master permit sought by the Agency of Transportation, State agencies, departments, commissions, and boards may waive permit fees for all permits in the State-owned airport master permit provided that a State-owned airport permit master plan was

reviewed and approved prior to the submission of any applications for permits in the State-owned master airport permit.

* * * Effective Date * * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Which was agreed to.

Report of Committee of Conference Accepted and Adopted on the Part of the Senate

H. 541.

Senator Cummings, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

H.541. An act relating to changes that affect the revenue of the State.

Respectfully reports that it has met and considered the same and recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Income Taxes * * *

* * * Capital Gains Exclusion * * *

Sec. 1. 32 V.S.A. § 5811 is amended to read:

§ 5811. DEFINITIONS

The following definitions shall apply throughout this chapter unless the context requires otherwise:

* * *

(21) "Taxable income" means, in the case of an individual, federal adjusted gross income determined without regard to 26 U.S.C. § 168(k) and:

* * *

(B) Decreased by the following items of income (to the extent such income is included in federal adjusted gross income):

* * *

(ii) with respect to adjusted net capital gain income as defined in 26 U.S.C. § 1(h) reduced by the total amount of any qualified dividend

income: either the first \$5,000.00 of such adjusted net capital gain income; or 40 percent of adjusted net capital gain income from the sale of assets held by the taxpayer for more than three years, except not adjusted net capital gain income from:

(I) the sale of any real estate or portion of real estate used by the taxpayer as a primary or nonprimary residence; or

(II) the sale of depreciable personal property other than farm property and standing timber; or stocks or bonds publicly traded or traded on an exchange, or any other financial instruments; regardless of whether sold by an individual or business; and provided that the total amount of decrease under this subdivision (21)(B)(ii) shall not exceed 40 percent of federal taxable income or \$350,000.00, whichever is less;

* * *

(28) "Taxable income" means, in the case of an estate or a trust, federal taxable income determined without regard to 26 U.S.C. § 168(k) and:

* * *

(B) decreased by the following items of income:

* * *

(ii) with respect to adjusted net capital gain income as defined in 26 U.S.C. § 1(h), reduced by the total amount of any qualified dividend income: either the first \$5,000.00 of such adjusted net capital gain income; or 40 percent of adjusted net capital gain income from the sale of assets held by the taxpayer for more than three years, except not adjusted net capital gain income from:

(I) the sale of any real estate or portion of real estate used by the taxpayer as a primary or nonprimary residence; or

(II) the sale of depreciable personal property other than farm property and standing timber; or stocks or bonds publicly traded or traded on an exchange, or any other financial instruments; regardless of whether sold by an individual or business; and provided that the total amount of decrease under this subdivision (28)(B)(ii) shall not exceed 40 percent of federal taxable income or \$350,000.00, whichever is less; and

* * *

* * * Medical Deduction * * *

Sec. 2. 32 V.S.A. § 5811(21) is amended to read:

(21) "Taxable income" means, in the case of an individual, federal

adjusted gross income determined without regard to 26 U.S.C. § 168(k) and:

* * *

(C) Decreased by the following exemptions and deductions:

(i) a personal exemption of \$4,150.00 per person for the taxpayer, for the spouse or the deceased spouse of the taxpayer whose filing status under section 5822 of this chapter is married filing a joint return or surviving spouse, and for each individual qualifying as a dependent of the taxpayer under 26 U.S.C. § 152, provided that no exemption may be claimed for an individual who is a dependent of another taxpayer;

(ii) a standard deduction determined as follows:

(I) for taxpayers whose filing status under section 5822 of this chapter is unmarried (other than surviving spouses or heads of households) or married filing separate returns, \$6,000.00;

(II) for taxpayers whose filing status under section 5822 of this chapter is head of household, \$9,000.00;

(III) for taxpayers whose filing status under section 5822 of this chapter is married filing joint return or surviving spouse, \$12,000.00;

(iii) an additional deduction of \$1,000.00 for each federal deduction under 26 U.S.C. § 63(f) that the taxpayer qualified for and received; and

(iv) an amount equal to the itemized deduction for medical expenses taken at the federal level by the taxpayer, under 26 U.S.C. § 213:

(I) minus the amount of the Vermont standard deduction and Vermont personal exemptions taken by the taxpayer under this subdivision (C); and

(II) minus any amount deducted at the federal level that is attributable to the payment of an entrance fee or recurring monthly payment made to a continuing care retirement community regulated under 8 V.S.A. chapter 151, which exceeds the deductibility limits for premiums paid during the taxable year on qualified long-term care insurance contracts under 26 U.S.C. 213(d)(10)(A).

(D) ~~the~~ The dollar amounts of the personal exemption allowed under subdivision (i) of ~~this subdivision (21)(C)~~ of this subdivision (21), the standard deduction allowed under subdivision (ii) of ~~this subdivision (21)(C)~~ of this subdivision (21), and the additional deduction allowed under subdivision (iii) of ~~this subdivision (21)(C)~~ of this subdivision (21) shall be adjusted annually for inflation by the Commissioner of Taxes beginning with taxable year 2018

by using the Consumer Price Index and the same methodology as used for adjustments under 26 U.S.C. § 1(f)(3); provided, however, that as used in this subdivision, “consumer price index” means the last Consumer Price Index for All Urban Consumers published by the U.S. Department of Labor.

* * * Tax Credit Affordable Housing; Down Payment Assistance * * *

Sec. 3. 32 V.S.A. § 5930u is amended to read:

§ 5930u. TAX CREDIT FOR AFFORDABLE HOUSING

(a) As used in this section:

(1) “Affordable housing project” or “project” means:

(A) a rental housing project identified in 26 U.S.C. § 42(g); or

(B) owner-occupied housing identified in 26 U.S.C. § 143 (c)(1) or that qualifies under Vermont Housing Finance Agency criteria governing owner-occupied housing.

(2) “Affordable housing tax credits” means the tax credit provided by this subchapter.

(3) “Allocating agency” or “Agency” means the Vermont Housing Finance Agency.

(4) “Committee” means the Joint Committee on Tax Credits consisting of five members: a representative from the Department of Housing and Community ~~Affairs~~ Development, the Vermont Housing and Conservation Board, the Vermont Housing Finance Agency, the Vermont State Housing Authority, and the Office of the Governor.

(5) “Credit certificate” means a certificate issued by the allocating agency to a taxpayer that specifies the amount of affordable housing tax credits that can be applied against the taxpayer’s individual or corporate income tax, or franchise, captive insurance premium, or insurance premium tax liability as provided in this subchapter.

(6) “Eligible applicant” means any municipality, ~~private-sector developer~~, State agency as defined in 10 V.S.A. § 6301a, the Vermont Housing Finance Agency, a for-profit organization, or a nonprofit organization qualifying under 26 U.S.C. § 501(c)(3) or cooperative housing organization, the purpose of which is to create and retain affordable housing for Vermonters with lower income and ~~which~~ that has in its bylaws a requirement that the housing the organization creates be maintained as affordable housing for Vermonters with lower income on a perpetual basis or that meets the application requirements of the allocation plan.

(7) “Eligible cash contribution” means an amount of cash:

(A) contributed to the owner, developer, or sponsor of an affordable housing project and determined by the allocating agency as eligible for affordable housing tax credits; or

(B) paid to the Agency in connection with the purchase of affordable housing tax credits.

(8) “Section 42 credits” means tax credit provided by 26 U.S.C. §§ 38 and 42.

(9) “Allocation plan” means the plan recommended by the Committee and approved by the Vermont Housing Finance Agency, which sets forth the eligibility requirements and process for selection of eligible rental housing projects to receive affordable housing tax credits and eligible owner-occupied housing projects to receive loans or grants under this section. The allocation plan shall include:

(A) requirements for creation and retention of affordable housing for persons with low income; and

(B) requirements to ensure that eligible rental housing is maintained as affordable by subsidy covenant, as defined in 27 V.S.A. § 610 on a perpetual basis and that eligible owner-occupied housing or program funds for owner-occupied housing remain as an affordable housing source for future owners or buyers, and meets all other requirements of the Vermont Housing Finance Agency related to affordable housing.

(10) “Taxpayer” means a taxpayer who makes an eligible cash contribution or the assignee or transferee of or successor to such taxpayer as determined by the Department of Taxes.

(b) Eligible tax credit allocations.

(1) Affordable housing credit allocation for rental housing.

(A) An eligible applicant may apply to the allocating agency for an allocation of affordable rental housing tax credits under this section related to an affordable housing project authorized by the allocating agency under the allocation plan. In the case of a specific affordable rental housing project, the eligible applicant shall also be the owner or a person having the right to acquire ownership of the building and shall apply prior to placement of the affordable housing project in service. ~~In the case of owner-occupied housing units, the applicant shall ensure that the allocated housing or program funds remain as an affordable housing resource for future owners.~~ The allocating agency shall issue a letter of approval if it finds that the applicant meets the priorities, criteria, and other provisions of subdivision (B) of this

subdivision (b)(1) The burden of proof shall be on the applicant.

(B) Upon receipt of a completed application, the allocating agency shall award an allocation of affordable housing tax credits with respect to a project to an applicant, provided the applicant demonstrates to the satisfaction of the allocating agency all of the following:

(i) The owner of the project has received from the allocating agency a binding commitment for, a reservation or allocation of, or an out-of-cap determination letter for, Section 42 credits, or meets the requirements of the allocation plan ~~for development or financing of units to be owner-occupied.~~

(ii) The project has received community support.

(2) Affordable housing credit allocation for loans or grants for owner-occupied housing.

(A) The Vermont Housing Finance Agency shall have the authority to allocate affordable housing tax credits to provide funds to make loans or grants to eligible applicants for affordable owner-occupied housing. An eligible applicant may apply to the allocating agency for a loan or grant under this section related to an affordable owner-occupied housing project authorized by the allocating agency under the allocation plan. In the case of a specific affordable owner-occupied housing project, the eligible applicants shall also be the owner or a person having the right to acquire ownership of the unit and shall apply prior to sale of the unit to the homeowner.

(B) The Agency shall require that the loan or grant recipient use such funds to maintain the unit as an affordable owner-occupied unit or as an affordable housing source for future owners or buyers.

(C) The Agency shall use the proceeds of loans or grants made under subdivision (b)(2)(A) of this section for future loans or grants to eligible applicants for affordable owner-occupied housing projects.

(D) The Agency may assign its rights under any loan or grant made under subdivision (b)(2)(A) of this section to the Vermont Housing and Conservation Board or any State agency or nonprofit organization qualifying under 26 U.S.C. § 501(c)(3) provided such assignee acknowledges and agrees to comply with the provisions of subdivision (b)(2) of this section.

(3) Down Payment Assistance Program.

(A) The Vermont Housing Finance Agency shall have the authority to allocate affordable housing tax credits to finance down payment assistance loans that meet the following requirements:

(i) the loan is made in connection with a mortgage through an Agency program;

(ii) the borrower is a first-time ~~homebuyer~~ home buyer of an owner-occupied primary residence; and

(iii) the borrower uses the loan for the borrower's down payment or closing costs, or both.

(B) The Agency shall require the borrower to repay the loan upon the transfer or refinance of the residence.

(C) The Agency shall use the proceeds of loans made under the Program for future down payment assistance.

(c) Amount of credit. A taxpayer ~~who makes an eligible cash contribution~~ shall be entitled to claim against the taxpayer's individual income, corporate, franchise, captive insurance premium, or insurance premium tax liability a credit in an amount specified on the taxpayer's credit certificate. The first-year allocation of a credit amount to a taxpayer shall also be deemed an allocation of the same amount in each of the following four years.

(d) Availability of credit. The amount of affordable housing tax credit ~~allocated with respect to a project set forth on the taxpayer's credit certificate~~ shall be available to the taxpayer every year for five consecutive tax years, beginning with the tax year in which the eligible cash contribution is made. Total tax credits available to the taxpayer shall be the amount of the first-year allocation plus the succeeding four years' deemed allocations.

(e) Claim for credit. A taxpayer claiming affordable housing tax credits shall submit with each return on which such credit is claimed ~~a copy of the allocating agency's credit allocation to the affordable housing project and the taxpayer's credit certificate~~ and with respect to credits issued under subdivision (b)(1), a copy of the allocating agency's credit allocation to the affordable housing project. Any unused affordable housing tax credit may be carried forward to reduce the taxpayer's tax liability for no more than 14 succeeding tax years, following the first year the affordable housing tax credit is allowed.

(f) [Repealed.]

(g)(1) In any fiscal year, the allocating agency may award up to:

(A) \$400,000.00 in total first-year credit allocations to all applicants for rental housing projects, for an aggregate limit of \$2,000,000.00 over any given five-year period that credits are available under this subdivision (A);

(B) ~~\$300,000.00~~ \$425,000.00 in total first-year credit allocations for loans or grants for owner-occupied unit financing or down payment loans as provided in subdivision (b)(2) of this section consistent with the allocation plan, including for new construction and manufactured housing, for an aggregate limit of ~~\$1,500,000.00~~ \$2,125,000.00 over any given five-year period that credits are available under this subdivision (B).

(2) ~~In any fiscal year, total first-year credit allocations under subdivision (1) of this subsection plus succeeding-year deemed allocations shall not exceed \$3,500,000.00~~ If the full amount of first-year credits authorized by an award are not allocated to a taxpayer, the Agency may reclaim the amount not allocated and re-award such allocations to other applicants, and such re-awards shall not be subject to the limits set forth in subdivision (1) of this subsection.

(h)(1) In fiscal year 2016 through fiscal year ~~2022~~ 2019, the allocating agency may award up to \$125,000.00 in total first-year credit allocations for loans through the Down Payment Assistance Program created in subdivision (b)(2) of this section.

(2) ~~In any fiscal year, total first-year credit allocations under subdivision (1) of this subsection plus succeeding-year deemed allocations shall not exceed \$625,000.00~~ 2020 through fiscal year 2026, the allocating agency may award up to \$250,000.00 in total first-year credit allocations for loans through the Down Payment Assistance Program created in subdivision (b)(3) of this section.

* * * Downtown Tax Credit Program * * *

Sec. 4. 32 V.S.A. chapter 151, subchapter 11J is amended to read:

Subchapter 11J. Vermont Downtown and Village Center Tax Credit Program
§ 5930aa. DEFINITIONS

As used in this subchapter:

(1) “Qualified applicant” means an owner or lessee of a qualified building involving a qualified project, but does not include ~~a religious entity operating with a primarily religious purpose~~; a State or federal agency or a political subdivision of either; or an instrumentality of the United States.

(2) “Qualified building” means a building built ~~prior to 1983~~ at least 30 years before the date of application, located within a designated downtown or village center, which upon completion of the project supported by the tax credit will be an income-producing building not used solely as a single-family residence. Churches and other buildings owned by religious organization may be qualified buildings, but in no event shall tax credits be used for religious worship.

(3) “Qualified code ~~or technology~~ improvement project” means a project:

(A)(i) to install or improve platform lifts suitable for transporting personal mobility devices, limited use/ or limited application elevators, elevators, sprinkler systems, and capital improvements in a qualified building, and the installations or improvements are required to bring the building into compliance with the statutory requirements and rules regarding fire prevention, life safety, and electrical, plumbing, and accessibility codes as determined by the Department of Public Safety; ~~or~~

~~(ii) to install or improve data or network wiring, or heating, ventilating, or cooling systems reasonably related to data or network installations or improvements, in a qualified building, provided that a professional engineer licensed under 26 V.S.A. chapter 20 certifies as to the fact and cost of the installation or improvement;~~

* * *

(7) “Qualified project” means a qualified code ~~or technology~~ improvement, qualified façade improvement, ~~qualified technology infrastructure project,~~ or qualified historic rehabilitation project as defined by this subchapter.

(8) “State Board” means the Vermont Downtown Development Board established pursuant to 24 V.S.A. chapter 76A.

* * *

§ 5930cc. DOWNTOWN AND VILLAGE CENTER PROGRAM TAX CREDITS

(a) Historic rehabilitation tax credit. The qualified applicant of a qualified historic rehabilitation project shall be entitled, upon the approval of the State Board, to claim against the taxpayer’s State individual income tax, corporate income tax, or bank franchise or insurance premiums tax liability a credit of 10 percent of qualified rehabilitation expenditures as defined in the Internal Revenue Code, 26 U.S.C. § 47(c), properly chargeable to the federally certified rehabilitation.

(b) Façade improvement tax credit. The qualified applicant of a qualified façade improvement project shall be entitled, upon the approval of the State Board, to claim against the taxpayer’s State individual income tax, State corporate income tax, or bank franchise or insurance premiums tax liability a credit of 25 percent of qualified expenditures up to a maximum tax credit of \$25,000.00.

(c) Code or technology improvement tax credit. The qualified applicant of a qualified code or technology improvement project shall be entitled, upon the approval of the State Board, to claim against the taxpayer's State individual income tax, State corporate income tax, or bank franchise or insurance premiums tax liability a credit of 50 percent of qualified expenditures up to a maximum tax credit of \$12,000.00 for installation or improvement of a platform lift, a maximum credit of ~~\$40,000.00~~ \$60,000.00 for the installation or improvement of a limited use/ or limited application elevator, a maximum tax credit of ~~\$50,000.00~~ \$75,000.00 for installation or improvement of an elevator, a maximum tax credit of \$50,000.00 for installation or improvement of a sprinkler system, ~~a maximum tax credit of \$30,000.00 for the combined costs of installation or improvement of data or network wiring or a heating, ventilating, or cooling system,~~ and a maximum tax credit of \$50,000.00 for the combined costs of all other qualified code improvements.

§ 5930dd. CLAIMS; AVAILABILITY

(a) A taxpayer claiming credit under this subchapter shall submit to the Department of Taxes with the first return on which a credit is claimed a copy of the State Board's tax credit allocation.

(b) A credit under this subchapter shall be available for the first tax year in which the qualified project is complete. In the alternative, the State Board may allocate the credit available under this subchapter and make an allocation available upon completion of any distinct phase of a qualified project. The allocation and distinct phases of the qualified project shall be identified in the application package approved by the State Board.

(c) If within ~~five~~ three years after the date of the credit allocation to the applicant no claim for tax credit has been filed, the tax credit allocation shall be rescinded, unless the project has an approved federal application for a phased (60 month) project pursuant to Treasury Regulation 1.48-12(b)(2)(v), in which case the credit will not be rescinded until five years from the date of the credit allocation.

* * *

§ 5930ee. LIMITATIONS

Beginning in fiscal year 2010 and thereafter, the State Board may award tax credits to all qualified applicants under this subchapter, provided that:

(1) the total amount of tax credits awarded annually, together with sales tax reallocated under section 9819 of this title, does not exceed ~~\$2,400,000.00~~ \$2,600,000.00;

* * *

* * * Estate Tax; Exclusion Amount * * *

Sec. 5. 32 V.S.A. § 7442a(b) is amended to read:

(b) The tax shall be computed as follows. The following rates shall be applied to the Vermont taxable estate:

Amount of Vermont Taxable Estate	Rate of Tax
Under \$2,750,000.00	None
\$2,750,000.00 or more	16 percent of the excess over \$2,750,000.00
<u>Under \$4,250,000.00</u>	<u>None</u>
<u>\$4,250,000.00 or more</u>	<u>16 percent of the excess over \$4,250,000.00</u>

The resulting amount shall be multiplied by a fraction not greater than one, where the numerator of which is the value of the Vermont gross estate plus the value of gifts under 32 V.S.A. § 7402(14)(C) with a Vermont situs, and the denominator of which is the federal gross estate plus the value of gifts under subdivision 7402(14)(C) of this title.

Sec. 6. 32 V.S.A. § 7442a(b) is amended to read:

(b) The tax shall be computed as follows. The following rates shall be applied to the Vermont taxable estate:

Amount of Vermont Taxable Estate	Rate of Tax
Under \$4,250,000.00	None
\$4,250,000.00 or more	16 percent of the excess over \$4,250,000.00
<u>Under \$5,000,000.00</u>	<u>None</u>
<u>\$5,000,000.00 or more</u>	<u>16 percent of the excess over \$5,000,000.00</u>

The resulting amount shall be multiplied by a fraction not greater than one, where the numerator of which is the value of the Vermont gross estate plus the value of gifts under 32 V.S.A. § 7402(14)(C) with a Vermont situs, and the denominator of which is the federal gross estate plus the value of gifts under subdivision 7402(14)(C) of this title.

* * * Rooms Tax; Booking Agents * * *

Sec. 7. 32 V.S.A. § 9202 is amended to read:

§ 9202. DEFINITIONS

The following words, terms, and phrases when used in this chapter shall have the meanings ascribed to them in this section unless the context clearly indicates a different meaning:

* * *

(4) “Operator” means any person, or his or her agent, operating a hotel, whether as owner or proprietor or lessee, sublessee, mortgagee, licensee, or otherwise; and any person, or his or her agent, charging for a taxable meal or alcoholic beverage; and any person, or his or her agent, engaged in both of the foregoing activities. The term “operator” shall include booking agents. In the event that an operator is a corporation or other entity, the term “operator” shall include any officer or agent of such corporation or other entity who, as an officer or agent of the corporation, is under a duty to pay the gross receipts tax to the Commissioner as required by this chapter.

* * *

(8) “Rent” means the consideration received for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property or services of any kind or nature, and also any amount for which the occupant is liable for the occupancy without any deduction therefrom whatsoever; and any monies received in payment for time-share rights at the time of purchase; provided, however, that such money received shall not be considered rent and thus not taxable if a deeded interest is granted to the purchaser for the time-share rights. The term “rent” shall include all amounts collected by booking agents except the tax required to be collected under this chapter. The term “rent” shall not include rental charges for living quarters, sleeping, or household accommodations to any student necessitated by attendance at a school as defined herein.

* * *

(20) “Booking agent” means a person who facilitates the rental of an occupancy and collects rent for an occupancy and who has the right, access, ability, or authority, through an Internet transaction or any other means, to offer, reserve, book, arrange for, remarket, distribute, broker, resell, or facilitate an occupancy that is subject to the tax under this chapter.

Sec. 8. 32 V.S.A. § 9271 is amended to read:

§ 9271. LICENSES REQUIRED

Each operator prior to commencing business shall register with the Commissioner each place of business within the State where he or she operates a hotel or sells taxable meals or alcoholic beverages; provided, however, that

an operator who sells taxable meals through a vending machine shall not be required to hold a license for each individual machine, and a booking agent shall not be required to hold a separate license for each property the rental of that it facilitates. Upon receipt of an application in such form and containing such information as the Commissioner may require for the proper administration of this chapter, the Commissioner shall issue without charge a license for each such place in such form as he or she may determine, attesting that such registration has been made. No person shall engage in serving taxable meals or alcoholic beverages or renting hotel rooms without the license provided in this section. The license shall be nonassignable and nontransferable and shall be surrendered to the Commissioner if the business is sold or transferred or if the registrant ceases to do business at the place named.

* * * Property Transfer Tax; Controlling Interest * * *

Sec. 9. 32 V.S.A. § 9601 is amended to read:

§ 9601. DEFINITIONS

The following definitions shall apply throughout this chapter unless the context requires otherwise:

* * *

(2) “Person” means every natural person, association, trust, ~~or corporation,~~ partnership, limited liability company, or other legal entity.

* * *

(5) “Transfer” includes a grant, assignment, conveyance, will, trust, decree of court, transfer or acquisition of a direct or indirect controlling interest in any person with title to property, or any other means of transferring title to property or vesting title to property in any person.

(6) “Value” means:

(A) ~~in~~ In the case of any transfer of title to property ~~which that~~ is not a gift and ~~which that~~ is not made for a nominal or no consideration, the amount of the full actual consideration for such transfer, paid or to be paid, including the amount of any liens or encumbrances on the property existing before the transfer and not removed thereby;

(B) ~~in~~ In the case of a gift, or a transfer for nominal or no consideration, ~~“value” means~~ the fair market value of the property transferred.

(C) In the case of a controlling interest in any person that has title to property, the fair market value of the property, apportioned based on the percentage of the ownership interest transferred or acquired in the person.

(D) “Value” shall not include the fair market value of private alternative energy sources as defined in section 3845 of this title.

* * *

(12) “Controlling interest” means:

(A) In the case of a corporation, either 50 percent or more of the total combined voting power of all classes of stock of such corporation, or 50 percent or more of the capital, profits, or beneficial interest in such voting stock of such corporation.

(B) In the case of a partnership, limited liability company, association, trust, or other entity, 50 percent or more of the capital, profits, or beneficial interest in such partnership, limited liability company, association, trust, or other entity.

(C) For purposes of the tax imposed pursuant to section 9602 of this title, all acquisitions of persons acting in concert are aggregated for purposes of determining whether a transfer or acquisition of a controlling interest has taken place; provided, however, interests in any partnership, limited liability company, association, or other entity originally purchased in connection with the federal low-income housing tax credit program under 26 U.S.C. § 42 shall not be counted in determining a change in the “controlling interest.” The Commissioner shall adopt standards by regulation to determine when persons are acting in concert. In adopting a regulation for this purpose, the Commissioner shall consider the following:

(i) Persons must be treated as acting in concert when they have a relationship with each other such that one person influences or controls the actions of another through common ownership.

(ii) When persons are not commonly owned or controlled, they must be treated as acting in concert only when the unity with which the purchasers have negotiated and will consummate the transfer of ownership interest supports a finding that they are acting as a single person. If the acquisitions are completely independent, with each purchaser buying without regard to the identity of the other purchasers, the acquisitions must be considered separate acquisitions.

Sec. 10. 32 V.S.A. § 9602 is amended to read:

§ 9602. TAX ON TRANSFER OF TITLE TO PROPERTY

A tax is hereby imposed upon the transfer by deed of title to property located in this State, or a transfer or acquisition of a controlling interest in any person with title to property in this State. The amount of the tax equals one and one-quarter percent of the value of the property transferred, or \$1.00,

whichever is greater, except as follows:

* * *

Sec. 11. 32 V.S.A. § 9603 is amended to read:

§ 9603. EXEMPTIONS

The following transfers are exempt from the tax imposed by this chapter:

* * *

(6) Transfers to effectuate a mere change of identity or form of ownership or organization where there is no change in beneficial ownership;

* * *

(25) Transfer made by a limited liability company to a member in connection with a complete dissolution of the limited liability company, pursuant to which transfer no gain or loss is recognized under the Internal Revenue Code, except where the Commissioner finds that a major purpose of such dissolution is to avoid the property transfer tax;

(26) Transfers of controlling interests in a person with a fee interest in property if the transfer of the property would qualify for exemption if accomplished by deed of the property between the parties to the transfer of the controlling interest.

Sec. 12. 32 V.S.A. § 9606 is amended to read:

§ 9606. PROPERTY TRANSFER RETURN

(a)(1) In the case of property transfer by deed, A a property transfer return complying with this section shall be delivered to a town clerk at the time a deed evidencing a transfer of title to property is delivered to the clerk for recording.

(2) In the case of transfer or acquisition of a controlling interest in a person with title to property for which a deed is not given, a property transfer return complying with this section shall be delivered to the Commissioner within 30 days after the transfer or acquisition.

* * *

(e)(1) In the case of property transferred by deed, The the Commissioner of Taxes is authorized to disclose to any person any information appearing on a property transfer tax return, including statistical information derived therefrom, and such information derived from research into information appearing on property transfer tax returns as is necessary to determine if the property being transferred is subject to 10 V.S.A. chapter 151, except the Commissioner shall not disclose the Social Security number, federal

identification number, e-mail address, or telephone number of any person pursuant to this subsection.

(2) In the case of transfer or acquisition of a controlling interest in a person with title to property for which a deed is not given, the return submitted to the Commissioner shall be treated as a tax return and tax return information under 32 V.S.A. § 3102.

Sec. 13. 32 V.S.A. § 9607 is amended to read:

§ 9607. ACKNOWLEDGMENT OF RETURN AND TAX PAYMENT

Upon the receipt by a town clerk of a property transfer return and certificate and the fee required under subdivision 1671(a)(6) of this title, the clerk shall forthwith mail or otherwise deliver to the transferee of title to property with respect to which such return was filed a signed and written acknowledgment of the receipt of that return and certificate. A copy of that acknowledgment, or any other form of acknowledgment approved by the Commissioner, shall be affixed to the deed evidencing the transfer of property or the document evidencing the transfer or acquisition of a direct or indirect controlling interest in any person with title to property with respect to which the return and certificate was filed. The acknowledgment so affixed to a deed or document, however, shall not disclose the amount of tax paid with respect to any return or transfer.

Sec. 14. 32 V.S.A. § 9608(a) is amended to read:

(a) Except as to transfers ~~which~~ that are exempt pursuant to subdivision 9603(17) of this title, no town clerk shall record, or receive for recording, any deed or document evidencing the transfer or acquisition of a direct or indirect controlling interest in any person with title to property to which is not attached a properly executed transfer tax return, complete and regular on its face, and a certificate in the form prescribed by the Natural Resources Board and the Commissioner of Taxes that the conveyance of the real property and any development thereon by the seller is in compliance with or exempt from the provisions of 10 V.S.A. chapter 151. The certificate shall indicate whether or not the conveyance creates the partition or division of land. If the conveyance creates a partition or division of land, there shall be appended the current "Act 250 Disclosure Statement," required by 10 V.S.A. § 6007. A town clerk who violates this section shall be fined \$50.00 for the first such offense and \$100.00 for each subsequent offense. A person who purposely or knowingly falsifies any statement contained in the certificate required is punishable by fine of not more than \$500.00 or imprisonment for not more than one year, or both.

Sec. 15. 32 V.S.A. § 9618 is amended to read:

§ 9618. DUTY TO REPORT STOCK ACQUISITIONS

Each person who acquires a controlling interest in a corporation, whether by one or more than one transfer of stock, shall, if the fair market value of all real property held in this State by the corporation exceeds \$500,000.00, report to the Commissioner of Taxes, within 30 days after the acquisition, the fair market value of all real property held in this State by the corporation at the time of the acquisition of the controlling interest. ~~As used in this section, a “controlling interest” means 50 percent or more of the total combined voting power of all classes of stock of the corporation.~~

* * * Land Gains Tax * * *

Sec. 16. 32 V.S.A. § 10002 is amended to read:

§ 10002. LAND AND RESIDENCES

(a) “Land” means all land, whether or not improved, that has been purchased and subdivided by the transferor within the six years prior to the sale or exchange of the land, but does not include land not exceeding 10 acres, necessary for the use of a dwelling used by the seller of such land as his or her principal residence. Buildings or other structures are not included in this definition of land. “Land” also means timber or rights to timber when that timber or those timber rights are sold within six years of their purchase, provided the underlying land is also sold within six years. “Underlying land” means the land from which timber or timber rights have been separated, whether subdivided or not. As used in this subsection, the term “subdivision” means a tract or tracts of land, owned or controlled by a person, that the person has partitioned or divided for the purpose of sale or transfer. Subdivision shall be deemed to have occurred on the conveyance of the first lot or the filing of a plat, plan, or deed in the town records, whichever first occurs. A subdivision shall not include a boundary adjustment between adjacent parcels.

* * *

(p) Also excluded from the definition of “land” is a transfer of ~~undeveloped~~ land in a Vermont neighborhood or neighborhood development area, a downtown development district, a village center, a growth center, or a new town center development district designated under 24 V.S.A. chapter 76A ~~which is the first transfer of that parcel following the original designation of the Vermont neighborhood or neighborhood development area.~~

* * *

Sec. 17. 32 V.S.A. § 10006(d) is added to read:

(d) If the property does not qualify as “land” under subsection 10002(a) of this chapter, the parties to the transaction are relieved of any obligation to pay the tax, file a return, or withhold the tax imposed by this chapter. If the property qualifies as “land” under subsection 10002(a) of this chapter, but an exclusion is claimed under any of the remaining subsections of section 10002, the parties to the transaction must still comply with the obligations to pay, file, and withhold, as specified under this chapter.

* * * Fuel Tax * * *

Sec. 18. 33 V.S.A. § 2503 is amended to read:

§ 2503. FUEL TAX

(a)(1) There is imposed a tax on the retail sale of heating oil, propane, kerosene, and other dyed diesel fuel delivered ~~to a residence or business in~~ Vermont, at the rate of \$0.02 per gallon.

* * *

(d) No tax under this section shall be imposed for any month ending after June 30, ~~2019~~ 2024.

* * * Healthcare Provisions * * *

Sec. 19. 2019 Acts and Resolves No. 6, Sec. 105 is amended to read:

Sec. 105. EFFECTIVE DATES

* * *

(b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1, ~~2019~~ 2021.

* * *

Sec. 20. REPEAL OF ORIGINAL HEALTH CARE CLAIMS TAX
HEALTH IT-FUND REVENUE SUNSET

2013 Acts and Resolves No. 73, Sec. 53 (Health IT-Fund sunset) is repealed.

Sec. 21. 2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017 Acts and Resolves No. 73, Sec. 14 and 2018 Acts and Resolves No. 187, Sec. 5, is further amended to read:

(10) Secs. 48–51 (health claims tax) shall take effect on July 1, 2013 and ~~Sec. 52 and 53 (health claims tax revenue; Health IT-Fund; sunset)~~ shall take effect on July 1, ~~2019~~ 2021.

* * * Repeal * * *

Sec. 22. 2017 Acts and Resolves No. 73, Sec. 18d is amended to read:

Sec. 18d. REPEAL

33 V.S.A. § 1955a (home health agency assessment) is repealed on July 1, ~~2019~~ 2021.

* * * Outreach * * *

Sec. 23. OUTREACH ON ISSUES RELATED TO TAXING PREWRITTEN SOFTWARE ACCESSED REMOTELY

The Tax Department shall develop and implement a program of outreach and education for the technology sector to focus on information related to the current sales tax exemption for prewritten software accessed remotely and on industry responsibilities under current law and under a possible repeal of the exemption.

* * * Effective Dates * * *

Sec. 24. EFFECTIVE DATES

This act shall take effect on passage, except for:

(1) Sec. 1 (capital gains exclusion) shall take effect on July 1, 2019 and apply to the sales of assets on or after that date.

(2) Notwithstanding 1 V.S.A. § 214, Sec. 2 (medical deduction) shall take effect retroactively on January 1, 2019 and apply to taxable year 2019 and after.

(3) Secs. 4 (downtown and village center tax credit), 7–8 (rooms tax), 9–15 (property transfer tax), and 18 (fuel tax) shall take effect on July 1, 2019.

(4) Sec. 5 (estate tax exclusion at \$4,250,000.00) shall take effect on January 1, 2020 and apply to estates of decedents with a date of death on or after that date.

(5) Sec. 6 (estate tax exclusion at \$5,000,000.00) shall take effect on January 1, 2021 and apply to estates of decedents with a date of death on or after that date.

(6) Secs. 16–17 (land gains tax) shall take effect on January 1, 2020 and apply to gains from sales made on or after that date.

ANN E. CUMMINGS

RANDOLPH D. BROCK

MARK A. MACDONALD

Committee on the part of the Senate

*JANET ANCEL**WILLIAM P. CANFIELD**SAMUEL R. YOUNG**Committee on the part of the House*

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative on a roll call, Yeas 21, Nays 6.

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

Roll Call

Those Senators who voted in the affirmative were: Balint, Benning, Bray, Brock, Campion, Clarkson, Collamore, Cummings, Hardy, Hooker, Kitchel, MacDonald, Mazza, McCormack, Nitka, Perchlik, Rodgers, Sears, Starr, Westman, White.

Those Senators who voted in the negative were: Baruth, Ingram, Lyons, Pearson, Pollina, Sirotkin.

Those Senators absent or not voting were: Ashe (presiding), McNeil, Parent.

Rules Suspended; Bills Messaged

On motion of Senator Mazza, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

S. 162, H. 132, H. 135.

Adjournment

On motion of Senator Mazza, the Senate adjourned until twelve o'clock and thirty minutes in the afternoon.

Afternoon

The Senate was called to order by the President.

Message from the House No. 85

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

Mr. President:

I am directed to inform the Senate that:

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 132. An act relating to adopting protections against housing discrimination for victims of domestic and sexual violence.

And has adopted the same on its part.

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

S. 162. An act relating to promoting economic development.

And has concurred therein.

**Rules Suspended; Report of Committee of Conference Accepted and
Adopted on the Part of the Senate**

H. 533.

Pending entry on the Calendar for notice, on motion of Senator Ashe, the rules were suspended and the report of the Committee of Conference on House bill entitled:

An act relating to workforce development.

Was taken up for immediate consideration.

Senator Sirotkin, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

H.533. An act relating to workforce development.

Respectfully reports that it has met and considered the same and recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

**Sec. 1. VERMONT TRAINING PROGRAM; WORKFORCE TRAINING
ALLOCATIONS**

(a) The Agency of Commerce and Community Development shall allocate Vermont Training Program funding to increase by 10 percent in each of the next two years:

(1) the number of trainees who receive a credential of value or participate in a registered apprenticeship; and

(2) the amount of training funds provided to businesses with 50 or fewer employees.

(b) In its annual report submitted pursuant to 10 V.S.A. § 531(k) the

Agency shall specifically address:

(1) whether it was able to achieve the allocations specified in subsection (a) of this section, and if not, the reasons;

(2) the distribution of training funds by the number of employees of each business that benefitted from training;

(3) the distribution of training funds that resulted in an employee obtaining a credential of value or apprenticeship; and

(4) the extent to which the Program benefitted businesses with 50 or fewer employees.

Sec. 2. 10 V.S.A. § 531 is amended to read:

§ 531. THE VERMONT TRAINING PROGRAM

* * *

(d) In order to avoid duplication of programs or services and to provide the greatest return on investment from training provided under this section, the Secretary of Commerce and Community Development shall:

(1) consult with the Commissioner of Labor regarding whether the grantee has accessed, or is eligible to access, other workforce education and training resources;

(2) disburse grant funds only for training hours that have been successfully completed by employees; ~~provided that, except for an award under an enhanced incentive for workforce training as provided in 32 V.S.A. § 3336;~~

~~(A) a grant for on-the-job training shall either provide not more than 50 percent of wages for each employee in training or not more than 50 percent of trainer expense, but not both; and further provided that~~

~~(B) training shall be performed in accordance with a training plan that defines the subject of the training, the number of training hours, and how the effectiveness of the training will be evaluated; and~~

(3) use funds under this section only to supplement training efforts of employers and not to replace or supplant training efforts of employers.

* * *

(k) Annually on or before January 15, the Secretary shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs. In addition to the reporting requirements under section 540 of this title, the report shall identify:

- (1) all active and completed contracts and grants;
- (2) from among the following, the category the training addressed:
 - (A) preemployment training or other training for a new employee to begin a newly created position with the employer;
 - (B) preemployment training or other training for a new employee to begin in an existing position with the employer;
 - (C) training for an incumbent employee who, upon completion of training, assumes a newly created position with the employer;
 - (D) training for an incumbent employee who, upon completion of training assumes a different position with the employer;
 - (E) training for an incumbent employee to upgrade skills;
- (3) for the training identified in subdivision (2) of this subsection whether the training is ~~onsite~~ on-site or classroom-based;
- (4) the number of employees served;
- (5) the average wage by employer;
- (6) any waivers granted;
- (7) the identity of the employer, or, if unknown at the time of the report, the category of employer;
- (8) the identity of each training provider;
- (9) whether training results in a wage increase for a trainee, and the amount of increase; ~~and~~
- (10) the aggregated median wage for employees invoiced for training during the reporting period;
- (11) the percentage growth in wages and the percentage growth in the median wage for all wage earners in the State during the reporting period; and
- (12) the number, type, and description of grants for work-based learning programs and activities awarded pursuant to subsection (e) of this section.

Sec. 3. WORKFORCE TRAINING; PRIORITY SECTORS

(a) The Department of Labor shall work with qualified training providers to increase the availability of training programs that lead to a credential of value in the health care, construction, manufacturing, and child care sectors, as follows:

- (1) The Department shall coordinate with the Office of Economic Opportunity within the Department for Children and Families to support

training opportunities for individuals interested in becoming employed in the home or commercial weatherization industry, including:

(A) recruiting Vermonters who are eligible for funding under the federal Workforce Innovation and Opportunity Act to participate in training programs;

(B) identifying operations for weatherization training programs; and

(C) providing stipends and wage subsidies for training participants if funding is available.

(2) The Department shall coordinate with the Child Development Division within the Department for Children and Families to support training opportunities for new or incumbent workers in the field of early care and learning.

(3) The Department shall work to connect health care, long-term care, and mental health providers with postsecondary education providers, including adult career and technical education, to expand pre-apprenticeships, registered apprenticeships, and other occupational training programs in health care.

(b) In performing its work to increase the availability of training programs that lead to a credential of value, the Department of Labor shall recognize issues faced by persons with historical barriers to employment or who are underrepresented in the workforce, including persons who have faced discrimination based on race, sex, sexual orientation, gender identity, age, refugee status, and national origin; persons in recovery; persons with a history of incarceration; and persons with disabilities.

Sec. 4. 16 V.S.A. § 2846 is amended to read:

§ 2846. NONDEGREE ADVANCEMENT GRANTS

(a) The Corporation may establish ~~grant programs~~ an advancement grant program for residents pursuing nondegree education and training opportunities who do not meet the definition of student in subdivision 2822(3) of this title, and who may not meet the requirements of this subchapter.

(b) Nondegree Advancement grants may be used at institutions that are not approved postsecondary education institutions.

(c) The Corporation may adopt rules or establish policies, procedures, standards, and forms for ~~nondegree advancement~~ grants, including the requirements for applying for and using the grants and the eligibility requirements for the institutions where the grants may be used.

Sec. 5. 10 V.S.A. § 546 is added to read:

§ 546. STATE POSTSECONDARY ATTAINMENT GOAL

(a) It shall be the goal of the State of Vermont that not less than 70 percent of working-age Vermonters will hold a credential of value, as defined by the State Workforce Development Board, by the year 2025.

(b) It is the policy of the State of Vermont to:

(1) promote awareness of career pathways and the value of postsecondary education and training;

(2) expand access to postsecondary education and training to students of all ages;

(3) increase completion of postsecondary education and training programs by ensuring that Vermonters have the supports they need to succeed; and

(4) maximize partnerships across and within sectors to achieve State workforce development and education goals.

(c) In its annual report required in section 540 of this title, the Department shall include the number of postsecondary credentials awarded and the data sets that are used to inform the report.

Sec. 6. POSTSECONDARY CAREER AND TECHNICAL EDUCATION
SYSTEM

(a) Findings; purpose.

(1) Findings. The General Assembly finds:

(A) Like many rural states, Vermont faces demographic realities that have resulted in an historically low unemployment rate and created obstacles for employers that seek to hire and retain enough fully trained employees.

(B) Notwithstanding this high employer demand, due to rapidly changing technology and evolving business needs, potential employees may lack the particular skills and training necessary to qualify for available jobs.

(C) In order to assist employers and employees in matching demand to requisite skills, Vermont has a broad diversity of postsecondary workforce education and training programs offered by multiple providers, including programs administered or funded by State government, educational institutions, and business-lead groups such as the Vermont Talent Pipeline Management Project. The State should continue to work closely with these providers to identify and meet the needs of employers and employees.

(2) Purpose. Consistent with the goals and purposes of 2018 Acts and

Resolves No. 189, pursuant to which the State Workforce Development Board and other stakeholders are currently engaged in planning the design and implementation of a fully integrated workforce development system, it is the purpose of the General Assembly to explore the creation of a fully integrated postsecondary career and technical education system that:

(A) provides Vermonters throughout the State with high quality programs that are standardized, replicable, and offered with regularity and consistency;

(B) coordinates, or integrates where appropriate, the many programs and providers to maximize the efficient use of training resources; and

(C) features a governance structure that provides consistency across the system whenever appropriate, but also provides the flexibility necessary to respond to local and regional workforce demands.

(b) Postsecondary CTE System.

(1) The Department of Labor, in collaboration with the Agency of Education, the Vermont State Colleges, and the Vermont Adult Technical Education Association, and any consultant the Department hires for that purpose, shall consider and report to the General Assembly on the design, implementation, and costs of an integrated postsecondary career and technical education system that achieves the results specified in subdivision (a)(2) of this section.

(2) In performing their work, the Department, stakeholders, and any consultant shall conduct a broad-based stakeholder engagement process to solicit input from interested parties, and State agencies and departments shall provide necessary information and assistance within their relative areas of expertise.

(c) Report. On or before January 15, 2020, the Department of Labor shall submit a report on its work and any recommendations for legislative action to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs.

(d) In performing its work to create an integrated postsecondary career and technical education system, the Department shall recognize issues faced by persons with historical barriers to employment or who are underrepresented in the workforce, including persons who have faced discrimination based on race, sex, sexual orientation, gender identity, age, refugee status, and national origin; persons in recovery; persons with a history of incarceration; and persons with disabilities.

Sec. 7. MILITARY RECRUITMENT PROGRAM

(a) The Department of Labor shall work with the Vermont National Guard and public and private employers to design and implement an on-site military base and installation recruitment program that encourages service members separating from military service to relocate to Vermont.

(b) The Department shall coordinate with the Agency of Commerce and Community Development to support marketing and outreach for recruitment events.

(c) The Department shall report to the House Committees on Commerce and Economic Development and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations concerning implementation and outcomes of this program during the 2020 legislative session.

Sec. 8. OFFICE OF PROFESSIONAL REGULATION; REPORT

(a) The Office of Professional Regulation, in consultation with the Vermont Board of Nursing, Vermont State Colleges, the University of Vermont, Norwich University, and other interested stakeholders, shall review statutory, regulatory, and accreditation standards for nursing programs within the State and nationally with the purpose of identifying barriers to recruitment and retention of nurse educators in nursing education programs.

(b) The Office of Professional Regulation shall evaluate the appropriateness of the level of credential and experience currently required for nurse educators in clinical settings.

(c) On or before December 15, 2019, the Office of Professional Regulation shall report its findings, including recommendations for any statutory or regulatory changes, or economic development initiatives, to facilitate recruitment and retention of nurse faculty, to the House Committees on Commerce and Economic Development and on Government Operations and to the Senate Committees on Economic Development, Housing and General Affairs and on Government Operations.

Sec. 9. SUPPORTING NEW AMERICANS IN THE WORKFORCE

(a) The State of Vermont shall take steps necessary to provide support to employers and to New Americans in the Vermont workforce as follows:

(1) The Department of Labor shall simplify the process and reduce barriers for employers seeking to access Department funding for English language classes.

(2) The Department of Labor shall work with U.S. Committee for

Refugees and Immigrants (USCRI) Vermont to increase employers' awareness of free services available through USCRI Vermont, including on site English language classes.

(3) The Department of Labor shall develop and make available to employers a collection of best practices for addressing the unique language, transportation, cultural, and other challenges New Americans face in the workforce.

(4) The Department of Labor, in collaboration with the Community College of Vermont or other partners, shall explore the development of a work readiness certificate or program for New American employees.

(5) The Department of Labor, in collaboration with the Vermont Chamber of Commerce or other partners, shall explore the development of a "Diversity, Equity, and Inclusivity" certificate or program, or similar initiative, for employers seeking to establish a New American-friendly workplace.

(6) The Department of Labor, in collaboration with the Department of Human Resources, shall explore measures to ensure that the State's Employee Assistance Program offers services and support that is responsive to the particular pressures and challenges facing New Americans. The Departments shall share best practices with private employers that offer similar employee assistance programs.

(7) The Agency of Commerce and Community Development shall explore whether State marketing funds should be targeted to New Americans in other states to inform them of Vermont's inclusive workplace practices and employment opportunities.

(b) To the extent not otherwise addressed in its work pursuant to subsection (a) of this section, the Department shall assess:

(1) recommendations identified in relevant studies and reports;

(2) cultural competency support needed in Vermont's employment settings;

(3) training, apprenticeship, and mentorship needs and opportunities;

(4) tools and supports needed for refugees to effectively apply preexisting educational and professional credentials in Vermont settings; and

(5) additional supports needed to ensure employment opportunities, including child care and transportation.

(c) The State entities named in subsection (a) of this section shall report to the General Assembly concerning the implementation of this section on or before January 15, 2020.

Sec. 10. DEPARTMENT OF LABOR; FIDELITY BONDS

Of the amounts appropriated to the Department of Labor in fiscal year 2020 from the Workforce Education and Training Fund, the Department shall allocate not more than \$3,000.00 to purchase fidelity bonds through the Federal Bonding Program to provide insurance against theft or loss for insurers to hire workers with barriers to employment.

Sec. 11. CORRECTIONS; WORKFORCE TRAINING

(a)(1) The Department of Corrections, in collaboration with the Department of Labor, shall provide a standardized program of education and training for all new and existing probation and parole officers that includes components related to:

(A) minimizing barriers for offenders to obtaining and maintaining employment; and

(B) minimizing the impact of program and supervision requirements on the offender's employment, including monitoring and facilitating compliance with Department of Corrections case plan goals based on best practices and consistent with public safety.

(2) The Department of Corrections shall ensure that all incumbent probation and parole officers receive the education and training under the program on or before July 1, 2020.

(b) For each inmate who is sentenced to six months or longer, the Department of Corrections, in collaboration with the Department of Motor Vehicles and other necessary partners:

(1) shall assess if the inmate has access to a valid government-issued identification; and

(2) if not, upon verification of Vermont residency and other eligibility, shall provide the inmate with at least one form of government-issued identification.

(c) On or before December 1, 2019, the Departments of Corrections and of Labor shall report to the House Committees on Commerce and Economic Development and on Corrections and Institutions and to the Senate Committees on Economic Development, Housing and General Affairs and on Institutions concerning the implementation of this section.

Sec. 12. NEW WORKER RELOCATION INCENTIVE PROGRAM

(a) The Agency of Commerce and Community Development shall design and implement a New Worker Relocation Incentive Program to award incentive grants to new workers as provided in this section and subject to the

policies and procedures the Agency adopts to implement the Program.

(b) Incentives for new workers. A new worker may be eligible for a grant under the Program for qualifying expenses, subject to the following:

(1) A base grant for a new worker shall not exceed \$5,000.00.

(2) The Agency may award an enhanced grant, which shall not exceed \$7,500.00, for a new worker who relocates to a labor market area in this State in which:

(A) the average annual unemployment rate in the labor market area exceeds the average annual unemployment rate in the State; or

(B) the average annual wage in the State exceeds the annual average wage in the labor market area.

(c) The Agency shall:

(1) adopt procedures for implementing the Program, which shall include a simple certification process to certify new workers and qualifying expenses;

(2) promote awareness of the Program, including through coordination with relevant trade groups and by integration into the Agency's economic development marketing campaigns;

(3) award grants on a first-come, first-served basis beginning January 1, 2020, subject to available funding; and

(4) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the Program

(d) On or before October 1, 2020, the Agency shall submit a report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs concerning the implementation of this section, including:

(1) a description of the policies and procedures adopted to implement the Program; and

(2) the promotion and marketing of the Program.

(e) As used in this section:

(1) "New worker" means an individual who on or after January 1, 2020:

(A) becomes a full-time resident of this State;

(B) becomes a full-time employee of a business domiciled or authorized to do business in this State;

(C)(i) is employed in an occupation identified by the Department of

Labor in its 2016–2026 Long Term Occupational Projections as one of the top occupations at each level of educational attainment typical for entry; or

(ii) who the Agency determines should otherwise receive an incentive grant under the Program because the worker possesses exceptional education, skills, or training or due to other extraordinary circumstances; and

(D) whose gross wage for the position equals or exceeds:

(i) 160 percent of the State minimum wage; or

(ii) if the employer is located in a labor market area in which the average annual unemployment rate is higher than the average annual unemployment rate for the State, 140 percent of the State minimum wage.

(2) “Qualifying expenses” means the actual costs that a new worker incurs for one or more of the following:

(A) relocation expenses, which may include closing costs for a primary residence; rental security deposit; first month’s rent payment; and other expenses established in Agency guidelines; and

(B) expenses necessary for a new worker to perform his or her employment duties, including connectivity costs, specialized tools and equipment, and other expenses established in Agency guidelines.

Sec. 13. 2018 Acts and Resolves No. 196, Sec. 1 is amended to read:

Sec. 1. SIMPLIFYING GOVERNMENT FOR SMALL BUSINESSES

(a) The Secretary of State shall serve as the chair of a steering committee, composed of the Secretary of State, the Secretary of Commerce and Community Development, and the Secretary of Digital Services or their designees.

(b) The Secretary of State, in collaboration with the steering committee, and in collaboration with other State agencies and departments and interested stakeholders as necessary, shall:

(1) review and consider the necessary procedural and substantive steps to enhance the Secretary of State’s one-stop business portal for businesses, entrepreneurs, and citizens to provide information about starting and operating a business in Vermont; and

(2) submit on or before December 15, ~~2018~~ 2019:

(A) a design proposal that includes a project scope, timeline, roadmap, and cost projections; ~~and~~

(B) any statutory or regulatory changes needed to implement the proposal; and

(C) a sustainable funding model for the portal.

(c) The steering committee shall evaluate the cost and efficacy, and integrate into the current one-stop portal to the extent feasible, features that:

(1) enhance State websites to simplify registrations and provide a clear compilation of other State business requirements, including permits and licenses;

(2) simplify the mechanism for making payments to the State by allowing a person to pay amounts he or she owes to the State for taxes, fees, or other charges to a single recipient within State government;

(3) simplify annual filing requirements by allowing a person to make a single filing to a single recipient within State government and check a box if nothing substantive has changed from the prior year;

(4) provide guidance, assistance with navigation, and other support to persons who are forming or operating a small business;

(5) after registration, provide information about additional and ongoing State requirements and a point of contact to discuss questions or explore any assistance needed;

(6) provide guidance and information about State and federal programs and initiatives, as well as State partner organizations and Vermont-based businesses of interest; and

(7) map communication channels for project updates, including digital channels such as e-mail, social media, and other communications.

(d) State agencies and departments shall provide assistance to the steering committee upon its request.

(e) The steering committee shall focus its review on providing services through the one-stop business portal primarily for the benefit of businesses with 20 or fewer employees.

(f) The Agency of Digital Services shall assign a project manager or business analyst to report directly to the Secretary of State to assist with the implementation of this act through June 30, ~~2019~~ 2020 for the purpose of developing and implementing a one-stop navigable portal for businesses, entrepreneurs, and citizens to access information about starting a business in Vermont, and to provide ongoing support to businesses interfacing with State government.

Sec. 14. AGENCY OF COMMERCE AND COMMUNITY
DEVELOPMENT; REPORT

On or before January 15, 2020, the Secretary of Commerce and Community Development shall report to the House Committees on Commerce and Economic Development and on Appropriations and to the Senate Committees on Economic Development, Housing and General Affairs and on Appropriations concerning how best to collaborate with regional partners and form formal partnerships that will promote international trade, as well as educational and cultural exchanges, between and among Vermont, the New England states, and foreign nations.

Sec. 15. 2018 Acts and Resolves No. 197, Sec. 1 is amended to read:

Sec. 1. NEW REMOTE WORKER GRANT PROGRAM

(a) As used in this section:

(1) “New remote worker” means an individual who:

(A) is a full-time employee of a business with its domicile or primary place of business within or outside Vermont;

(B) becomes a full-time resident of this State on or after January 1, 2019; and

(C) performs the majority of his or her employment duties remotely from a home office or a co-working space located in this State.

(2) “Qualifying remote worker expenses” means actual costs a new remote worker incurs for one or more of the following that are necessary to perform his or her employment duties:

(A) relocation to this State;

(B) computer software and hardware;

(C) broadband access or upgrade; and

(D) membership in a co-working or similar space.

(b)(1) The Agency of Commerce and Community Development shall design and implement the New Remote Worker Grant Program, which shall include a simple certification process to certify new remote workers and certify qualifying expenses for a grant under this section.

(2) A new remote worker may be eligible for a grant under the Program for qualifying remote worker expenses in the amount of not more than \$5,000.00 per year, not to exceed a total of \$10,000.00 per individual new remote worker over the life of the Program.

(3) The Agency shall award grants under the Program on a first-come, first-served basis, subject to available funding, ~~as follows:~~

- ~~(A) not more than \$125,000.00 in calendar year 2019;~~
- ~~(B) not more than \$250,000.00 in calendar year 2020;~~
- ~~(C) not more than \$125,000.00 in calendar year 2021; and~~
- ~~(D) not more than \$100,000.00 per year in each subsequent calendar year, to the extent funding remains available.~~

* * *

Sec. 16. REPEAL

32 V.S.A. § 3336 (enhanced incentive for workforce training) is repealed.

Sec. 17. DELIVERY OF VERMONT TECHNICAL COLLEGE
DEGREE PROGRAMS AT CAREER TECHNICAL EDUCATION
CENTERS IN VERMONT; STUDY; PILOT PROGRAMS

(a) Study by Vermont Technical College. The Vermont Technical College (VTC) shall study how to best deliver all or a portion of fully accredited VTC associate degree programs at CTE centers in Vermont. The study shall explore the viability of a new program to provide a locally convenient and financially affordable option to high school students and adult learners who want, while still enrolled with their CTE centers, to also enroll in a high-demand, high-skill, industry-specific associate degree offering. VTC shall collaborate with the CTE centers and the Agency of Education in conducting the study. In structuring the study, VTC shall consider:

(1) alignment of degree programs with workforce priority needs and career pathways identified by the Agency of Education;

(2) prevailing industry wages and gender equity in each identified career pathway;

(3) coherence with existing, State-supported postsecondary programs for secondary students, such as dual enrollment and early college programs under the flexible pathways laws, including potential impacts to, and alignment with, those programs;

(4) sustainable funding models, including costs for students, institutions, and adults;

(5) the financial risks of programmatic and funding model changes, with the goals of not negatively impacting the accreditation status or the financial status of any institution; and

(6) management of class scheduling and CTE partnerships to ensure access and programmatic success.

(b) Reports.

(1) On or before December 15, 2019, VTC shall submit a written report to the House and Senate Committees on Education and the State Board of Education with its findings and recommendations from the study required under subsection (a) of this section.

(2) If VTC recommends from its study that all or a portion of fully accredited VTC associate degree programs should be offered at CTE centers in Vermont, then VTC shall, in the fall 2020 semester, conduct up to two pilot programs that offer these degree programs in at least two CTE centers. If these pilot programs are conducted, on or before January 15, 2021, VTC shall submit a supplemental written report to the House and Senate Committees on Education and the State Board of Education with its findings and recommendations from the pilot programs.

(c) Any program designed and implemented pursuant to this section subsequent to the pilots shall not be funded by the General Fund.

Sec. 18. 31 V.S.A. § 707 is amended to read:

§ 707. REGISTRATION AND FEES

* * *

(e)(1) All fees collected under this section shall be credited to a special fund for the Department to be expended for carrying out its duties under this chapter and may also be expended as provided pursuant to subdivision (2) of this subsection.

(2) The Passenger Tramway Board may expend amounts that it determines to be appropriate from the special fund established pursuant to subdivision (1) of this subsection for the purpose of contributing to ski lift mechanic education, job training, and apprenticeship programs.

Sec. 19. 10 V.S.A. § 541a(d) is amended to read:

(d) Operation of Board.

(1) Member representation.

(A) A member of the State Board may send a designee that meets the requirements of subdivision (B) of this subdivision (1) to any State Board meeting who shall count toward a quorum and shall be allowed to vote on behalf of the Board member for whom he or she serves as a designee.

(B) Members of the State Board or their designees who represent organizations, agencies, or other entities shall be individuals with optimum policymaking authority or relevant subject matter expertise within the organizations, agencies, or entities.

(C) The members of the Board shall represent diverse regions of the State, including urban, rural, and suburban areas.

(2) Chair. The Governor shall select a chair for the Board from among the business representatives appointed pursuant to subdivision (c)(18) of this section.

(3) Meetings. The Board shall meet at least three times annually and shall hold additional meetings upon call of the Chair.

(4) ~~Work groups; task forces~~ Committees; work groups; ad hoc committees. The Chair, in consultation with the Commissioner of Labor, may:

(A) assign one or more members or their designees to standing committees, ad hoc committees, or work groups to carry out the work of the Board; and

(B) appoint one or more ~~members of the Board, or nonmembers of the Board, or both, to one or more task forces for a discrete purpose and duration~~ to a standing committee, ad hoc committee, or work group and determine whether the individual serves as an advisory or voting member, provided that the number of voting nonmembers on a standing committee shall not exceed the number of Board members or their designees.

(5) Quorum meetings; voting.

(A) A majority of the sitting members of the Board shall constitute a quorum, and to be valid any action taken by the Board shall be authorized by a majority of the members present and voting at any regular or special meeting at which a quorum is present.

(B) The Board may permit one or more members to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication, including an electronic, telecommunications, and video- or audio-conferencing conference telephone call, by which all members participating may simultaneously or sequentially communicate with each other during the meeting. A member participating in a meeting by this means is deemed to be present in person at the meeting.

(C) The Board shall deliver electronically the minutes for each of its meetings to each member of the Board and to the Chairs of the House Committees on Education and on Commerce and Economic Development, and to the Senate Committees on Education and on Economic Development, Housing and General Affairs.

(D) The Board may adopt in its bylaws the quorum, membership, and procedural requirements for standing committees.

* * *

Sec. 20. ECONOMIC DEVELOPMENT FUNDING ALLOCATIONS

The \$2,000,000.00 appropriated from the General Fund for economic development initiatives in Sec. C.100(30) of H.542 (2019) shall be allocated pursuant to this section.

(1) \$1,725,000.00 is allocated to the Agency of Commerce and Community Development as follows:

(A)(i) \$450,000.00 for economic development marketing:

(I) \$225,000 for economic development marketing pursuant to its authority in 3 V.S.A. § 2476(c) to execute the State's core Economic Development Marketing Plan through paid, owned, and earned media, utilizing technology, data, and analysis tools; and

(II) \$225,000.00 to identify, recruit, and provide relocation assistance to workers, including:

(aa) identifying target audiences;

(bb) targeting through digital and social media; and

(cc) implementing strategies that convert visitors to residents and awarding grants for regional partnerships to help recruitment efforts at the local and regional levels.

(ii) Notwithstanding any provision of law to the contrary, the Agency shall have the discretion to reallocate not more than \$225,000.00 of the funding allocated in this subdivision (1)(A) to provide additional incentives under the New Worker Relocation Incentive Program.

(B) \$80,000 for grants for regional marketing and workforce recruitment initiatives that work in concert with Statewide efforts; and

(C) \$1,195,000.00 to provide incentives that assist workers and families relocating to Vermont under the New Worker Relocation Incentive Program.

(2) \$275,000.00 is allocated to the Department of Labor to expand opportunities for apprenticeships, training, and postsecondary career and technical education through the workforce education and training fund created in 10 V.S.A. § 543 and to perform its duties pursuant to 10 V.S.A. § 540(1).

Sec. 21. EFFECTIVE DATES

This act shall take effect on July 1, 2019.

*MICHAEL D. SIROTKIN
RANDOLPH D. BROCK
ALISON CLARKSON*

Committee on the part of the Senate

*MICHAEL J. MARCOTTE
CHARLES A. KIMBELL
JEAN D. O'SULLIVAN*

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative on a roll call, Yeas 24, Nays 3.

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Balint, Baruth, Benning, Bray, Brock, Campion, Clarkson, Collamore, Cummings, Hardy, Hooker, Ingram, Kitchel, MacDonald, Mazza, McCormack, Nitka, Perchlik, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Pearson, Pollina, Rodgers.

Those Senators absent and not voting were: Lyons, McNeil, Parent.

Recess

On motion of Senator Ashe the Senate recessed until 2:30 P.M.

Called to Order

The Senate was called to order by the President.

Rules Suspended; Bills Messaged

On motion of Senator Ashe, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

H. 533, H. 541.

Appointment Confirmed

The following Gubernatorial appointment was confirmed separately by the Senate, upon full report given by the Committee to which it was referred:

The nomination of

Knight, Gwendolyn of Panton - Commissioner, Department of Tourism and Marketing - March 1, 2019 to February 28, 2021.

Was confirmed by the Senate.

Appointments Confirmed

Under suspension of the rules (and particularly, Senate Rule 93), as moved by Senator White, the following Gubernatorial appointments were confirmed together as a group by the Senate, without reports given by the Committees to which they were referred and without debate:

The nominations of

Bourdon, Kevin of Vergennes - Member, Electricians' Licensing Board - January 1, 2019 to June 30, 2021.

Donegan, Roger of Hinesburg - Member, State Labor Relations Board - April 1, 2019 to June 30, 2020.

O'Farrell, Jenna of St. Johnsbury - Member, State Board of Education - April 15, 2019 to February 28, 2025.

Phillips, Leigh of Burlington - Chair, Occupational Safety and Health Review Board - April 1, 2019 to February 28, 2025.

Richardson, Cory of East Montpelier - Member, Vermont State Housing Authority - July 20, 2018 to February 28, 2023.

Saudek, Karen of Montpelier - Member, State Labor Relations Board - October 11, 2018, to June 30, 2021.

Watkins, Timothy of Colchester - Member, Electricians' Licensing Board - January 1, 2019, to June 30, 2021.

Fiske, John of Rutland - Member, Electricians' Licensing Board - April 1, 2019 to June 30, 2021.

Gregoritsch, Mark of Essex - Member, Occupational Safety and Health Review Board - October 12, 2018 to February 28, 2023.

Russell, John of Rutland - Member, Vermont Economic Progress Council - April 1, 2019 to March 31, 2023.

Were collectively confirmed by the Senate.

**Report of Committee of Conference Accepted and Adopted on the Part of
the Senate**

H. 542.

Senator Kitchel, for the Committee of Conference, submitted the following report:

To the Senate and House of Representatives:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House bill entitled:

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

H. 542. An act relating to making appropriations for the support of government.

Respectfully reports that it has met and considered the same and recommends that the Senate recede from its proposal of amendment and that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2020 Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2020. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed prior to June 30, 2019. Agency and department heads are directed to implement staffing and service levels at the beginning of fiscal year 2020 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for fiscal year 2020.

(b) The sums herein stated are appropriated for the purposes specified in the following sections of this act. When no time is expressly stated during which any of the appropriations are to continue, the appropriations are single-year appropriations and only for the purpose indicated and shall be paid from funds shown as the source of funds. If in this act there is an error in either

addition or subtraction, the totals shall be adjusted accordingly. Apparent errors in referring to section numbers of statutory titles within this act may be disregarded by the Commissioner of Finance and Management.

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2020.

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

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

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

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

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

Sec. A.105 OFFSETTING APPROPRIATIONS

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

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2020, the Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may allocate all or any portion of such federal funds for any

purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2020, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2019 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for no more than 45 days prior to Legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor's request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2020 except for new positions authorized by the 2019 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction, nor shall positions created pursuant to the Position Pilot Program authorized in 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by 2015 Acts and Resolves No. 4, Sec. 74, by 2016 Acts and Resolves No. 172, Sec. E.100.2, by 2017 Acts and Resolves No. 85, Sec. E.100.1, and by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1.

Sec. A.108 LEGEND

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

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>

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

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

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

Personal services	901,632
Operating expenses	<u>209,988</u>
Total	1,111,620
Source of funds	
General fund	886,620
Special funds	150,000
Internal service funds	<u>75,000</u>
Total	1,111,620

Sec. B.101 Secretary of administration - finance

Personal services	1,251,050
Operating expenses	<u>128,367</u>
Total	1,379,417
Source of funds	
Interdepartmental transfers	<u>1,379,417</u>
Total	1,379,417

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

Personal services	540,613
Operating expenses	<u>229,050</u>
Total	769,663
Source of funds	
Internal service funds	<u>769,663</u>
Total	769,663

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

Personal services	589,805
Operating expenses	<u>67,265</u>

Total	657,070
Source of funds	
Internal service funds	<u>657,070</u>
Total	657,070
Sec. B.104 Secretary of administration - all other insurance	
Personal services	16,891
Operating expenses	<u>15,284</u>
Total	32,175
Source of funds	
Internal service funds	<u>32,175</u>
Total	32,175
Sec. B.105 Agency of digital services - communications and information technology	
Personal services	48,324,719
Operating expenses	<u>23,980,357</u>
Total	72,305,076
Source of funds	
General fund	179,238
Special funds	383,707
Internal service funds	<u>71,742,131</u>
Total	72,305,076
Sec. B.106 Finance and management - budget and management	
Personal services	1,425,403
Operating expenses	<u>207,736</u>
Total	1,633,139
Source of funds	
General fund	1,286,501
Internal service funds	<u>346,638</u>
Total	1,633,139
Sec. B.107 Finance and management - financial operations	
Personal services	2,210,271
Operating expenses	<u>651,353</u>
Total	2,861,624
Source of funds	
Internal service funds	<u>2,861,624</u>
Total	2,861,624
Sec. B.108 Human resources - operations	
Personal services	8,421,206

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Operating expenses	<u>1,267,123</u>
Total	9,688,329
Source of funds	
General fund	1,978,207
Special funds	277,462
Internal service funds	6,552,186
Interdepartmental transfers	<u>880,474</u>
Total	9,688,329
Sec. B.108.1 Human resources - VTHR operations	
Personal services	1,785,852
Operating expenses	<u>728,786</u>
Total	2,514,638
Source of funds	
Internal service funds	<u>2,514,638</u>
Total	2,514,638
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	1,022,285
Operating expenses	<u>587,816</u>
Total	1,610,101
Source of funds	
Internal service funds	<u>1,610,101</u>
Total	1,610,101
Sec. B.110 Libraries	
Personal services	1,990,435
Operating expenses	1,157,389
Grants	<u>245,400</u>
Total	3,393,224
Source of funds	
General fund	2,062,056
Special funds	116,031
Federal funds	1,116,678
Interdepartmental transfers	<u>98,459</u>
Total	3,393,224
Sec. B.111 Tax - administration/collection	
Personal services	15,677,138
Operating expenses	<u>5,511,905</u>
Total	21,189,043
Source of funds	
General fund	19,475,589

Special funds	1,570,888
Interdepartmental transfers	<u>142,566</u>
Total	21,189,043
Sec. B.112 Buildings and general services - administration	
Personal services	684,803
Operating expenses	<u>90,379</u>
Total	775,182
Source of funds	
Interdepartmental transfers	<u>775,182</u>
Total	775,182
Sec. B.113 Buildings and general services - engineering	
Personal services	2,702,937
Operating expenses	<u>880,486</u>
Total	3,583,423
Source of funds	
Interdepartmental transfers	<u>3,583,423</u>
Total	3,583,423
Sec. B.114 Buildings and general services - information centers	
Personal services	3,482,685
Operating expenses	1,608,448
Grants	<u>35,750</u>
Total	5,126,883
Source of funds	
General fund	648,931
Transportation fund	4,019,636
Special funds	<u>458,316</u>
Total	5,126,883
Sec. B.115 Buildings and general services - purchasing	
Personal services	1,060,809
Operating expenses	<u>186,998</u>
Total	1,247,807
Source of funds	
General fund	<u>1,247,807</u>
Total	1,247,807
Sec. B.116 Buildings and general services - postal services	
Personal services	766,740
Operating expenses	<u>120,077</u>
Total	886,817

Source of funds	
General fund	85,063
Internal service funds	<u>801,754</u>
Total	886,817
Sec. B.117 Buildings and general services - copy center	
Personal services	797,852
Operating expenses	<u>137,298</u>
Total	935,150
Source of funds	
Internal service funds	<u>935,150</u>
Total	935,150
Sec. B.118 Buildings and general services - fleet management services	
Personal services	735,645
Operating expenses	<u>208,836</u>
Total	944,481
Source of funds	
Internal service funds	<u>944,481</u>
Total	944,481
Sec. B.119 Buildings and general services - federal surplus property	
Personal services	14,945
Operating expenses	<u>8,107</u>
Total	23,052
Source of funds	
Enterprise funds	<u>23,052</u>
Total	23,052
Sec. B.120 Buildings and general services - state surplus property	
Personal services	190,580
Operating expenses	<u>121,866</u>
Total	312,446
Source of funds	
Internal service funds	<u>312,446</u>
Total	312,446
Sec. B.121 Buildings and general services - property management	
Personal services	1,342,177
Operating expenses	<u>457,542</u>
Total	1,799,719
Source of funds	
Internal service funds	<u>1,799,719</u>

Total	1,799,719
Sec. B.122 Buildings and general services - fee for space	
Personal services	16,518,501
Operating expenses	<u>14,082,725</u>
Total	30,601,226
Source of funds	
Internal service funds	<u>30,601,226</u>
Total	30,601,226
Sec. B.124 Executive office - governor's office	
Personal services	1,372,645
Operating expenses	<u>472,437</u>
Total	1,845,082
Source of funds	
General fund	1,658,582
Interdepartmental transfers	<u>186,500</u>
Total	1,845,082
Sec. B.125 Legislative council	
Personal services	4,317,739
Operating expenses	<u>866,574</u>
Total	5,184,313
Source of funds	
General fund	<u>5,184,313</u>
Total	5,184,313
Sec. B.126 Legislature	
Personal services	4,234,740
Operating expenses	<u>3,884,632</u>
Total	8,119,372
Source of funds	
General fund	<u>8,119,372</u>
Total	8,119,372
Sec. B.127 Joint fiscal committee	
Personal services	1,858,779
Operating expenses	<u>164,274</u>
Total	2,023,053
Source of funds	
General fund	<u>2,023,053</u>
Total	2,023,053

Sec. B.128 Sergeant at arms

Personal services	785,233
Operating expenses	<u>77,971</u>
Total	863,204
Source of funds	
General fund	<u>863,204</u>
Total	863,204

Sec. B.129 Lieutenant governor

Personal services	231,651
Operating expenses	<u>31,482</u>
Total	263,133
Source of funds	
General fund	<u>263,133</u>
Total	263,133

Sec. B.130 Auditor of accounts

Personal services	3,477,063
Operating expenses	<u>157,985</u>
Total	3,635,048
Source of funds	
General fund	404,513
Special funds	53,145
Internal service funds	<u>3,177,390</u>
Total	3,635,048

Sec. B.131 State treasurer

Personal services	3,848,234
Operating expenses	<u>222,299</u>
Total	4,070,533
Source of funds	
General fund	981,483
Special funds	2,968,779
Interdepartmental transfers	<u>120,271</u>
Total	4,070,533

Sec. B.132 State treasurer - unclaimed property

Personal services	808,784
Operating expenses	<u>316,917</u>
Total	1,125,701
Source of funds	
Private purpose trust funds	<u>1,125,701</u>

Total	1,125,701
Sec. B.133 Vermont state retirement system	
Personal services	5,363,103
Operating expenses	<u>1,425,321</u>
Total	6,788,424
Source of funds	
Pension trust funds	<u>6,788,424</u>
Total	6,788,424
Sec. B.134 Municipal employees' retirement system	
Personal services	2,035,007
Operating expenses	<u>881,001</u>
Total	2,916,008
Source of funds	
Pension trust funds	<u>2,916,008</u>
Total	2,916,008
Sec. B.135 State labor relations board	
Personal services	218,630
Operating expenses	<u>50,179</u>
Total	268,809
Source of funds	
General fund	259,233
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>
Total	268,809
Sec. B.136 VOSHA review board	
Personal services	79,740
Operating expenses	<u>12,610</u>
Total	92,350
Source of funds	
General fund	46,175
Interdepartmental transfers	<u>46,175</u>
Total	92,350
Sec. B.136.1 Ethics Commission	
Personal services	102,584
Operating expenses	<u>18,259</u>
Total	120,843
Source of funds	
Internal service funds	<u>120,843</u>

Total	120,843
Sec. B.137 Homeowner rebate	
Grants	<u>16,600,000</u>
Total	16,600,000
Source of funds	
General fund	<u>16,600,000</u>
Total	16,600,000
Sec. B.138 Renter rebate	
Grants	<u>9,500,000</u>
Total	9,500,000
Source of funds	
General fund	<u>9,500,000</u>
Total	9,500,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,303,324</u>
Total	3,303,324
Source of funds	
General fund	<u>3,303,324</u>
Total	3,303,324
Sec. B.140 Municipal current use	
Grants	<u>16,603,039</u>
Total	16,603,039
Source of funds	
General fund	<u>16,603,039</u>
Total	16,603,039
Sec. B.142 Payments in lieu of taxes	
Grants	<u>8,750,000</u>
Total	8,750,000
Source of funds	
Special funds	<u>8,750,000</u>
Total	8,750,000
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	
Special funds	<u>184,000</u>
Total	184,000

Sec. B.144 Payments in lieu of taxes - correctional facilities

Grants	<u>40,000</u>
Total	40,000
Source of funds	
Special funds	<u>40,000</u>
Total	40,000

Sec. B.145 Total general government

Source of funds	
General fund	93,659,436
Transportation fund	4,019,636
Special funds	14,959,116
Federal funds	1,116,678
Internal service funds	125,854,235
Interdepartmental transfers	7,215,255
Enterprise funds	23,052
Pension trust funds	9,704,432
Private purpose trust funds	<u>1,125,701</u>
Total	257,677,541

Sec. B.200 Attorney general

Personal services	10,353,687
Operating expenses	1,523,368
Grants	<u>26,500</u>
Total	11,903,555
Source of funds	
General fund	5,433,266
Special funds	2,015,281
Tobacco fund	348,000
Federal funds	1,256,355
Interdepartmental transfers	<u>2,850,653</u>
Total	11,903,555

Sec. B.201 Vermont court diversion

Personal services	2,970,189
Grants	<u>185,294</u>
Total	3,155,483
Source of funds	
General fund	2,715,486
Special funds	<u>439,997</u>
Total	3,155,483

Sec. B.202 Defender general - public defense

Personal services	11,968,678
Operating expenses	<u>1,107,989</u>
Total	13,076,667
Source of funds	
General fund	12,487,014
Special funds	<u>589,653</u>
Total	13,076,667

Sec. B.203 Defender general - assigned counsel

Personal services	5,919,842
Operating expenses	<u>49,819</u>
Total	5,969,661
Source of funds	
General fund	<u>5,969,661</u>
Total	5,969,661

Sec. B.204 Judiciary

Personal services	42,107,083
Operating expenses	9,655,475
Grants	<u>121,030</u>
Total	51,883,588
Source of funds	
General fund	45,651,954
Special funds	3,248,649
Federal funds	887,586
Interdepartmental transfers	<u>2,095,399</u>
Total	51,883,588

Sec. B.205 State's attorneys

Personal services	13,730,084
Operating expenses	<u>1,803,114</u>
Total	15,533,198
Source of funds	
General fund	12,714,313
Special funds	121,240
Federal funds	31,000
Interdepartmental transfers	<u>2,666,645</u>
Total	15,533,198

Sec. B.206 Special investigative unit

Personal services	85,000
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Operating expenses	1,100
Grants	<u>1,913,000</u>
Total	1,999,100
Source of funds	
General fund	<u>1,999,100</u>
Total	1,999,100
Sec. B.207 Sheriffs	
Personal services	4,245,584
Operating expenses	<u>415,279</u>
Total	4,660,863
Source of funds	
General fund	<u>4,660,863</u>
Total	4,660,863
Sec. B.208 Public safety - administration	
Personal services	3,686,993
Operating expenses	4,724,924
Grants	<u>200,000</u>
Total	8,611,917
Source of funds	
General fund	4,431,288
Special funds	175,000
Federal funds	441,300
Interdepartmental transfers	<u>3,564,329</u>
Total	8,611,917
Sec. B.209 Public safety - state police	
Personal services	56,917,271
Operating expenses	11,566,494
Grants	<u>1,302,805</u>
Total	69,786,570
Source of funds	
General fund	40,506,303
Transportation fund	20,250,000
Special funds	3,067,749
Federal funds	4,063,667
Interdepartmental transfers	<u>1,898,851</u>
Total	69,786,570
Sec. B.210 Public safety - criminal justice services	
Personal services	4,365,847
Operating expenses	<u>1,477,904</u>

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Total	5,843,751
Source of funds	
General fund	3,147,212
Special funds	1,930,649
Federal funds	<u>765,890</u>
Total	5,843,751
Sec. B.211 Public safety - emergency management	
Personal services	2,764,385
Operating expenses	1,106,406
Grants	<u>5,111,905</u>
Total	8,982,696
Source of funds	
General fund	433,306
Special funds	230,000
Federal funds	<u>8,319,390</u>
Total	8,982,696
Sec. B.212 Public safety - fire safety	
Personal services	6,863,783
Operating expenses	3,383,347
Grants	<u>107,000</u>
Total	10,354,130
Source of funds	
General fund	477,905
Special funds	8,954,902
Federal funds	876,323
Interdepartmental transfers	<u>45,000</u>
Total	10,354,130
Sec. B.213 Public safety - Forensic Laboratory	
Personal services	3,097,286
Operating expenses	<u>1,134,268</u>
Total	4,231,554
Source of funds	
General fund	3,177,547
Special funds	78,555
Federal funds	414,702
Interdepartmental transfers	<u>560,750</u>
Total	4,231,554
Sec. B.215 Military - administration	
Personal services	767,401

Operating expenses	480,758
Grants	<u>1,426,718</u>
Total	2,674,877
Source of funds	
General fund	<u>2,674,877</u>
Total	2,674,877
Sec. B.216 Military - air service contract	
Personal services	6,024,812
Operating expenses	<u>937,929</u>
Total	6,962,741
Source of funds	
General fund	581,730
Federal funds	<u>6,381,011</u>
Total	6,962,741
Sec. B.217 Military - army service contract	
Personal services	8,692,642
Operating expenses	<u>6,093,050</u>
Total	14,785,692
Source of funds	
Federal funds	<u>14,785,692</u>
Total	14,785,692
Sec. B.218 Military - building maintenance	
Personal services	820,735
Operating expenses	<u>687,573</u>
Total	1,508,308
Source of funds	
General fund	1,448,308
Special funds	<u>60,000</u>
Total	1,508,308
Sec. B.219 Military - veterans' affairs	
Personal services	833,614
Operating expenses	173,955
Grants	<u>50,800</u>
Total	1,058,369
Source of funds	
General fund	811,151
Special funds	147,218
Federal funds	<u>100,000</u>
Total	1,058,369

Sec. B.220 Center for crime victim services

Personal services	2,251,106
Operating expenses	756,995
Grants	<u>13,281,115</u>
Total	16,289,216
Source of funds	
General fund	1,264,158
Special funds	5,342,728
Federal funds	<u>9,682,330</u>
Total	16,289,216

Sec. B.221 Criminal justice training council

Personal services	1,294,952
Operating expenses	<u>1,397,689</u>
Total	2,692,641
Source of funds	
General fund	2,488,016
Interdepartmental transfers	<u>204,625</u>
Total	2,692,641

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

Personal services	1,475,369
Operating expenses	438,811
Grants	<u>210,972</u>
Total	2,125,152
Source of funds	
General fund	979,008
Special funds	714,922
Federal funds	<u>431,222</u>
Total	2,125,152

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

Personal services	4,296,689
Operating expenses	752,772
Grants	<u>2,750,000</u>
Total	7,799,461
Source of funds	
General fund	2,895,182
Special funds	3,644,093
Federal funds	1,253,186
Interdepartmental transfers	<u>7,000</u>

Total	7,799,461
Sec. B.224 Agriculture, food and markets - agricultural development	
Personal services	1,717,913
Operating expenses	1,080,763
Grants	<u>1,394,875</u>
Total	4,193,551
Source of funds	
General fund	2,100,030
Special funds	688,828
Federal funds	<u>1,404,693</u>
Total	4,193,551
Sec. B.225 Agriculture, food and markets - agricultural resource management and environmental stewardship	
Personal services	2,446,869
Operating expenses	586,350
Grants	<u>223,334</u>
Total	3,256,553
Source of funds	
General fund	730,945
Special funds	1,816,068
Federal funds	454,022
Interdepartmental transfers	<u>255,518</u>
Total	3,256,553
Sec. B.225.1 Agriculture, food and markets - Vermont Agriculture and Environmental Lab	
Personal services	1,589,625
Operating expenses	<u>932,332</u>
Total	2,521,957
Source of funds	
General fund	921,265
Special funds	1,536,479
Interdepartmental transfers	<u>64,213</u>
Total	2,521,957
Sec. B.225.2 Agriculture, Food and Markets - Clean Water	
Personal services	2,909,421
Operating expenses	479,805
Grants	<u>3,117,000</u>
Total	6,506,226
Source of funds	

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General fund	1,205,080
Special funds	4,820,618
Federal funds	93,097
Interdepartmental transfers	<u>387,431</u>
Total	6,506,226
Sec. B.226 Financial regulation - administration	
Personal services	1,949,236
Operating expenses	<u>467,013</u>
Total	2,416,249
Source of funds	
Special funds	<u>2,416,249</u>
Total	2,416,249
Sec. B.227 Financial regulation - banking	
Personal services	1,783,809
Operating expenses	<u>408,155</u>
Total	2,191,964
Source of funds	
Special funds	<u>2,191,964</u>
Total	2,191,964
Sec. B.228 Financial regulation - insurance	
Personal services	4,030,293
Operating expenses	<u>556,143</u>
Total	4,586,436
Source of funds	
Special funds	<u>4,586,436</u>
Total	4,586,436
Sec. B.229 Financial regulation - captive insurance	
Personal services	4,710,762
Operating expenses	<u>584,596</u>
Total	5,295,358
Source of funds	
Special funds	<u>5,295,358</u>
Total	5,295,358
Sec. B.230 Financial regulation - securities	
Personal services	949,284
Operating expenses	<u>234,192</u>
Total	1,183,476
Source of funds	

Special funds	<u>1,183,476</u>
Total	1,183,476
Sec. B.232 Secretary of state	
Personal services	10,521,639
Operating expenses	2,875,930
Grants	<u>150,000</u>
Total	13,547,569
Source of funds	
Special funds	11,394,045
Federal funds	<u>2,153,524</u>
Total	13,547,569
Sec. B.233 Public service - regulation and energy	
Personal services	10,723,409
Operating expenses	1,443,544
Grants	<u>2,767,237</u>
Total	14,934,190
Source of funds	
Special funds	13,407,207
Federal funds	532,983
ARRA funds	921,260
Interdepartmental transfers	50,000
Enterprise funds	<u>22,740</u>
Total	14,934,190
Sec. B.234 Public utility commission	
Personal services	3,285,568
Operating expenses	<u>471,932</u>
Total	3,757,500
Source of funds	
Special funds	<u>3,757,500</u>
Total	3,757,500
Sec. B.235 Enhanced 9-1-1 Board	
Personal services	3,803,802
Operating expenses	388,612
Grants	<u>720,000</u>
Total	4,912,414
Source of funds	
Special funds	<u>4,912,414</u>
Total	4,912,414

Sec. B.236 Human rights commission

Personal services	627,615
Operating expenses	<u>75,932</u>
Total	703,547
Source of funds	
General fund	628,256
Federal funds	<u>75,291</u>
Total	703,547

Sec. B.236.1 Liquor & Lottery Comm. Office

Personal services	525,243
Operating expenses	<u>5,350</u>
Total	530,593
Source of funds	
Enterprise funds	<u>530,593</u>
Total	530,593

Sec. B.236.2 Lottery Operations

Personal services	1,733,694
Operating expenses	1,381,440
Grants	<u>100,000</u>
Total	3,215,134
Source of funds	
Enterprise funds	<u>3,215,134</u>
Total	3,215,134

Sec. B.237 Liquor control - administration

Personal services	2,743,126
Operating expenses	<u>1,120,841</u>
Total	3,863,967
Source of funds	
Enterprise funds	<u>3,863,967</u>
Total	3,863,967

Sec. B.238 Liquor control - enforcement and licensing

Personal services	2,238,782
Operating expenses	<u>453,153</u>
Total	2,691,935
Source of funds	
Tobacco fund	213,843
Federal funds	184,484
Interdepartmental transfers	5,000

Enterprise funds	<u>2,288,608</u>
Total	2,691,935
Sec. B.239 Liquor control - warehousing and distribution	
Personal services	1,082,020
Operating expenses	<u>469,338</u>
Total	1,551,358
Source of funds	
Enterprise funds	<u>1,551,358</u>
Total	1,551,358
Sec. B.240 Total protection to persons and property	
Source of funds	
General fund	162,533,224
Transportation fund	20,250,000
Special funds	88,767,278
Tobacco fund	561,843
Federal funds	54,587,748
ARRA funds	921,260
Interdepartmental transfers	14,655,414
Enterprise funds	<u>11,472,400</u>
Total	353,749,167
Sec. B.300 Human services - agency of human services - secretary's office	
Personal services	11,177,461
Operating expenses	6,805,654
Grants	<u>2,895,202</u>
Total	20,878,317
Source of funds	
General fund	7,775,309
Special funds	135,517
Federal funds	11,555,036
Global Commitment fund	453,000
Interdepartmental transfers	<u>959,455</u>
Total	20,878,317
Sec. B.301 Secretary's office - global commitment	
Operating expenses	3,150,212
Grants	<u>1,631,994,544</u>
Total	1,635,144,756
Source of funds	
General fund	562,258,602
Special funds	34,969,169

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Tobacco fund	21,049,373
State health care resources fund	16,915,501
Federal funds	984,584,332
Interdepartmental transfers	<u>15,367,779</u>
Total	1,635,144,756
Sec. B.303 Developmental disabilities council	
Personal services	366,501
Operating expenses	94,962
Grants	<u>191,595</u>
Total	653,058
Source of funds	
Special funds	12,000
Federal funds	<u>641,058</u>
Total	653,058
Sec. B.304 Human services board	
Personal services	718,478
Operating expenses	<u>87,620</u>
Total	806,098
Source of funds	
General fund	451,554
Federal funds	332,018
Interdepartmental transfers	<u>22,526</u>
Total	806,098
Sec. B.305 AHS - administrative fund	
Personal services	350,000
Operating expenses	<u>10,150,000</u>
Total	10,500,000
Source of funds	
Interdepartmental transfers	<u>10,500,000</u>
Total	10,500,000
Sec. B.306 Department of Vermont health access - administration	
Personal services	134,603,806
Operating expenses	29,905,859
Grants	<u>7,314,723</u>
Total	171,824,388
Source of funds	
General fund	29,222,317
Special funds	6,096,108
Federal funds	124,749,165

Global Commitment fund	4,214,196
Interdepartmental transfers	<u>7,542,602</u>
Total	171,824,388
Sec. B.307 Department of Vermont health access - Medicaid program - global commitment	
Personal services	547,983
Grants	<u>737,800,525</u>
Total	738,348,508
Source of funds	
Global Commitment fund	<u>738,348,508</u>
Total	738,348,508
Sec. B.308 Department of Vermont health access - Medicaid program - long term care waiver	
Grants	<u>213,712,634</u>
Total	213,712,634
Source of funds	
Global Commitment fund	<u>213,712,634</u>
Total	213,712,634
Sec. B.309 Department of Vermont health access - Medicaid program - state only	
Grants	<u>49,211,558</u>
Total	49,211,558
Source of funds	
General fund	37,605,920
Global Commitment fund	<u>11,605,638</u>
Total	49,211,558
Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched	
Grants	<u>32,435,074</u>
Total	32,435,074
Source of funds	
General fund	11,425,047
Federal funds	<u>21,010,027</u>
Total	32,435,074
Sec. B.311 Health - administration and support	
Personal services	5,464,580
Operating expenses	5,852,063
Grants	<u>4,040,881</u>

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Total	15,357,524
Source of funds	
General fund	2,867,817
Special funds	1,824,499
Federal funds	7,063,414
Global Commitment fund	3,510,576
Interdepartmental transfers	<u>91,218</u>
Total	15,357,524
Sec. B.312 Health - public health	
Personal services	44,859,249
Operating expenses	8,623,418
Grants	<u>36,469,334</u>
Total	89,952,001
Source of funds	
General fund	10,159,167
Special funds	18,230,647
Tobacco fund	1,088,918
Federal funds	46,234,807
Global Commitment fund	13,068,355
Interdepartmental transfers	1,145,107
Permanent trust funds	<u>25,000</u>
Total	89,952,001
Sec. B.313 Health - alcohol and drug abuse programs	
Personal services	4,363,807
Operating expenses	255,634
Grants	<u>51,538,398</u>
Total	56,157,839
Source of funds	
General fund	1,946,686
Special funds	1,170,177
Tobacco fund	949,917
Federal funds	17,574,970
Global Commitment fund	<u>34,516,089</u>
Total	56,157,839
Sec. B.314 Mental health - mental health	
Personal services	32,082,652
Operating expenses	4,434,083
Grants	<u>234,801,390</u>

Total	271,318,125
Source of funds	
General fund	7,694,909
Special funds	1,184,904
Federal funds	9,132,390
Global Commitment fund	253,232,674
Interdepartmental transfers	<u>73,248</u>
Total	271,318,125
Sec. B.316 Department for children and families - administration & support services	
Personal services	41,876,642
Operating expenses	11,526,385
Grants	<u>1,342,620</u>
Total	54,745,647
Source of funds	
General fund	25,920,417
Special funds	2,706,557
Federal funds	23,918,495
Global Commitment fund	1,981,083
Interdepartmental transfers	<u>219,095</u>
Total	54,745,647
Sec. B.317 Department for children and families - family services	
Personal services	37,615,510
Operating expenses	4,931,546
Grants	<u>78,289,704</u>
Total	120,836,760
Source of funds	
General fund	43,958,383
Special funds	877,587
Federal funds	27,412,577
Global Commitment fund	48,476,324
Interdepartmental transfers	<u>111,889</u>
Total	120,836,760
Sec. B.318 Department for children and families - child development	
Personal services	4,718,950
Operating expenses	850,728
Grants	<u>79,671,975</u>
Total	85,241,653
Source of funds	

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General fund	39,136,315
Special funds	1,820,000
Federal funds	33,144,045
Global Commitment fund	11,118,793
Interdepartmental transfers	<u>22,500</u>
Total	85,241,653
Sec. B.319 Department for children and families - office of child support	
Personal services	10,805,408
Operating expenses	<u>3,679,303</u>
Total	14,484,711
Source of funds	
General fund	4,306,156
Special funds	455,719
Federal funds	9,335,236
Interdepartmental transfers	<u>387,600</u>
Total	14,484,711
Sec. B.320 Department for children and families - aid to aged, blind and disabled	
Personal services	2,252,206
Grants	<u>10,298,023</u>
Total	12,550,229
Source of funds	
General fund	8,649,899
Global Commitment fund	<u>3,900,330</u>
Total	12,550,229
Sec. B.321 Department for children and families - general assistance	
Personal services	15,000
Grants	<u>7,112,360</u>
Total	7,127,360
Source of funds	
General fund	6,730,025
Federal funds	111,320
Global Commitment fund	<u>286,015</u>
Total	7,127,360
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>29,827,906</u>
Total	29,827,906
Source of funds	
Federal funds	<u>29,827,906</u>

Total	29,827,906
Sec. B.323 Department for children and families - reach up	
Operating expenses	51,517
Grants	<u>31,639,481</u>
Total	31,690,998
Source of funds	
General fund	5,473,872
Special funds	21,079,984
Federal funds	2,455,524
Global Commitment fund	<u>2,681,618</u>
Total	31,690,998
Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP	
Grants	<u>16,019,953</u>
Total	16,019,953
Source of funds	
Special funds	1,259,217
Federal funds	<u>14,760,736</u>
Total	16,019,953
Sec. B.325 Department for children and families - office of economic opportunity	
Personal services	522,340
Operating expenses	43,673
Grants	<u>9,809,823</u>
Total	10,375,836
Source of funds	
General fund	5,065,004
Special funds	57,990
Federal funds	4,423,154
Global Commitment fund	<u>829,688</u>
Total	10,375,836
Sec. B.326 Department for children and families - OEO - weatherization assistance	
Personal services	326,525
Operating expenses	44,525
Grants	<u>12,038,018</u>
Total	12,409,068
Source of funds	
Special funds	7,812,978

Federal funds	<u>4,596,090</u>
Total	12,409,068
Sec. B.327 Department for children and families - Woodside rehabilitation center	
Personal services	5,164,274
Operating expenses	<u>715,868</u>
Total	5,880,142
Source of funds	
General fund	5,783,142
Interdepartmental transfers	<u>97,000</u>
Total	5,880,142
Sec. B.328 Department for children and families - disability determination services	
Personal services	6,276,032
Operating expenses	<u>419,984</u>
Total	6,696,016
Source of funds	
General fund	107,003
Federal funds	<u>6,589,013</u>
Total	6,696,016
Sec. B.329 Disabilities, aging, and independent living - administration & support	
Personal services	32,686,936
Operating expenses	<u>5,723,801</u>
Total	38,410,737
Source of funds	
General fund	17,049,356
Special funds	1,390,457
Federal funds	18,904,640
Interdepartmental transfers	<u>1,066,284</u>
Total	38,410,737
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>19,611,505</u>
Total	19,611,505
Source of funds	
General fund	7,623,375
Federal funds	7,148,466
Global Commitment fund	<u>4,839,664</u>

Total	19,611,505
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,661,457</u>
Total	1,661,457
Source of funds	
General fund	389,154
Special funds	223,450
Federal funds	743,853
Global Commitment fund	<u>305,000</u>
Total	1,661,457
Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation	
Grants	<u>7,024,368</u>
Total	7,024,368
Source of funds	
General fund	1,371,845
Federal funds	4,402,523
Interdepartmental transfers	<u>1,250,000</u>
Total	7,024,368
Sec. B.333 Disabilities, aging, and independent living - developmental services	
Grants	<u>232,748,868</u>
Total	232,748,868
Source of funds	
General fund	155,125
Special funds	15,463
Federal funds	359,857
Global Commitment fund	232,173,423
Interdepartmental transfers	<u>45,000</u>
Total	232,748,868
Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver	
Grants	<u>5,788,057</u>
Total	5,788,057
Source of funds	
Global Commitment fund	<u>5,788,057</u>
Total	5,788,057

Sec. B.335 Corrections - administration

Personal services	3,108,496
Operating expenses	<u>238,644</u>
Total	3,347,140
Source of funds	
General fund	<u>3,347,140</u>
Total	3,347,140

Sec. B.336 Corrections - parole board

Personal services	333,919
Operating expenses	<u>81,081</u>
Total	415,000
Source of funds	
General fund	<u>415,000</u>
Total	415,000

Sec. B.337 Corrections - correctional education

Personal services	3,366,460
Operating expenses	<u>244,932</u>
Total	3,611,392
Source of funds	
General fund	3,462,608
Interdepartmental transfers	<u>148,784</u>
Total	3,611,392

Sec. B.338 Corrections - correctional services

Personal services	113,866,882
Operating expenses	21,526,975
Grants	<u>8,474,287</u>
Total	143,868,144
Source of funds	
General fund	137,048,955
Special funds	929,963
Federal funds	479,209
Global Commitment fund	5,013,702
Interdepartmental transfers	<u>396,315</u>
Total	143,868,144

Sec. B.339 Corrections - Correctional services-out of state beds

Personal services	<u>6,226,759</u>
Total	6,226,759
Source of funds	

General fund	<u>6,226,759</u>
Total	6,226,759
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	391,140
Operating expenses	<u>455,845</u>
Total	846,985
Source of funds	
Special funds	<u>846,985</u>
Total	846,985
Sec. B.341 Corrections - Vermont offender work program	
Personal services	1,509,826
Operating expenses	<u>525,784</u>
Total	2,035,610
Source of funds	
Internal service funds	<u>2,035,610</u>
Total	2,035,610
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	20,371,013
Operating expenses	<u>5,019,422</u>
Total	25,390,435
Source of funds	
General fund	345,783
Special funds	15,990,205
Federal funds	<u>9,054,447</u>
Total	25,390,435
Sec. B.343 Commission on women	
Personal services	333,046
Operating expenses	<u>60,085</u>
Total	393,131
Source of funds	
General fund	390,631
Special funds	<u>2,500</u>
Total	393,131
Sec. B.344 Retired senior volunteer program	
Grants	<u>151,096</u>
Total	151,096
Source of funds	
General fund	<u>151,096</u>

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Total	151,096
Sec. B.345 Green Mountain Care Board	
Personal services	7,620,589
Operating expenses	<u>360,199</u>
Total	7,980,788
Source of funds	
General fund	3,192,315
Special funds	<u>4,788,473</u>
Total	7,980,788
Sec. B.346 Total human services	
Source of funds	
General fund	997,706,686
Special funds	123,880,549
Tobacco fund	23,088,208
State health care resources fund	16,915,501
Federal funds	1,420,544,308
Global Commitment fund	1,590,055,367
Internal service funds	2,035,610
Interdepartmental transfers	39,446,402
Permanent trust funds	<u>25,000</u>
Total	4,213,697,631
Sec. B.400 Labor - programs	
Personal services	29,542,710
Operating expenses	10,454,244
Grants	<u>4,575,300</u>
Total	44,572,254
Source of funds	
General fund	4,569,407
Special funds	7,049,772
Federal funds	31,540,700
Interdepartmental transfers	<u>1,412,375</u>
Total	44,572,254
Sec. B.401 Total labor	
Source of funds	
General fund	4,569,407
Special funds	7,049,772
Federal funds	31,540,700
Interdepartmental transfers	<u>1,412,375</u>
Total	44,572,254

Sec. B.500 Education - finance and administration

Personal services	7,196,440
Operating expenses	3,695,315
Grants	<u>14,270,700</u>
Total	25,162,455
Source of funds	
General fund	3,747,829
Special funds	15,218,303
Education fund	3,367,483
Federal funds	2,199,952
Global Commitment fund	260,000
Interdepartmental transfers	<u>368,888</u>
Total	25,162,455

Sec. B.501 Education - education services

Personal services	18,270,055
Operating expenses	1,405,450
Grants	<u>119,396,536</u>
Total	139,072,041
Source of funds	
General fund	6,384,982
Special funds	3,414,114
Tobacco fund	750,388
Federal funds	<u>128,522,557</u>
Total	139,072,041

Sec. B.502 Education - special education: formula grants

Grants	<u>212,956,000</u>
Total	212,956,000
Source of funds	
Education fund	<u>212,956,000</u>
Total	212,956,000

Sec. B.503 Education - state-placed students

Grants	<u>18,000,000</u>
Total	18,000,000
Source of funds	
Education fund	<u>18,000,000</u>
Total	18,000,000

Sec. B.504 Education - adult education and literacy

Grants	<u>4,371,050</u>
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Total	4,371,050
Source of funds	
General fund	3,605,000
Federal funds	<u>766,050</u>
Total	4,371,050
Sec. B.504.1 Education - Flexible Pathways	
Grants	<u>8,599,000</u>
Total	8,599,000
Source of funds	
General fund	892,500
Education fund	<u>7,706,500</u>
Total	8,599,000
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,428,800,000</u>
Total	1,428,800,000
Source of funds	
Education fund	<u>1,428,800,000</u>
Total	1,428,800,000
Sec. B.506 Education - transportation	
Grants	<u>19,800,000</u>
Total	19,800,000
Source of funds	
Education fund	<u>19,800,000</u>
Total	19,800,000
Sec. B.507 Education - small school grants	
Grants	<u>8,400,000</u>
Total	8,400,000
Source of funds	
Education fund	<u>8,400,000</u>
Total	8,400,000
Sec. B.510 Education - essential early education grant	
Grants	<u>6,808,000</u>
Total	6,808,000
Source of funds	
Education fund	<u>6,808,000</u>
Total	6,808,000

Sec. B.511 Education - technical education

Grants	<u>14,150,000</u>
Total	14,150,000
Source of funds	
Education fund	<u>14,150,000</u>
Total	14,150,000

Sec. B.511.1 State Board of Education

Personal services	25,000
Operating expenses	<u>55,845</u>
Total	80,845
Source of funds	
General fund	<u>80,845</u>
Total	80,845

Sec. B.514 State teachers' retirement system

Grants	<u>120,247,389</u>
Total	120,247,389
Source of funds	
General fund	113,466,168
Education fund	<u>6,781,221</u>
Total	120,247,389

Sec. B.514.1 State teachers' retirement system administration

Personal services	5,305,211
Operating expenses	<u>1,673,583</u>
Total	6,978,794
Source of funds	
Pension trust funds	<u>6,978,794</u>
Total	6,978,794

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

Grants	<u>31,067,652</u>
Total	31,067,652
Source of funds	
General fund	<u>31,067,652</u>
Total	31,067,652

Sec. B.516 Total general education

Source of funds	
General fund	159,244,976
Special funds	18,632,417

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Tobacco fund	750,388
Education fund	1,726,769,204
Federal funds	131,488,559
Global Commitment fund	260,000
Interdepartmental transfers	368,888
Pension trust funds	<u>6,978,794</u>
Total	2,044,493,226
Sec. B.600 University of Vermont	
Grants	<u>42,509,093</u>
Total	42,509,093
Source of funds	
General fund	40,485,359
Global Commitment fund	<u>2,023,734</u>
Total	42,509,093
Sec. B.602 Vermont state colleges	
Grants	<u>29,800,464</u>
Total	29,800,464
Source of funds	
General fund	<u>29,800,464</u>
Total	29,800,464
Sec. B.602.1 Vermont state colleges - Supplemental Aid	
Grants	<u>700,000</u>
Total	700,000
Source of funds	
General fund	<u>700,000</u>
Total	700,000
Sec. B.603 Vermont state colleges - allied health	
Grants	<u>1,157,775</u>
Total	1,157,775
Source of funds	
General fund	748,314
Global Commitment fund	<u>409,461</u>
Total	1,157,775
Sec. B.605 Vermont student assistance corporation	
Grants	<u>19,978,588</u>
Total	19,978,588
Source of funds	
General fund	<u>19,978,588</u>

Total	19,978,588
Sec. B.606 New England higher education compact	
Grants	<u>84,000</u>
Total	84,000
Source of funds	
General fund	<u>84,000</u>
Total	84,000
Sec. B.607 University of Vermont - Morgan Horse Farm	
Grants	<u>1</u>
Total	1
Source of funds	
General fund	<u>1</u>
Total	1
Sec. B.608 Total higher education	
Source of funds	
General fund	91,796,726
Global Commitment fund	<u>2,433,195</u>
Total	94,229,921
Sec. B.700 Natural resources - agency of natural resources - administration	
Personal services	2,302,597
Operating expenses	1,079,841
Grants	<u>19,960</u>
Total	3,402,398
Source of funds	
General fund	2,720,669
Special funds	581,818
Interdepartmental transfers	<u>99,911</u>
Total	3,402,398
Sec. B.701 Natural resources - state land local property tax assessment	
Operating expenses	<u>2,561,955</u>
Total	2,561,955
Source of funds	
General fund	2,140,455
Interdepartmental transfers	<u>421,500</u>
Total	2,561,955
Sec. B.702 Fish and wildlife - support and field services	
Personal services	17,806,224

Operating expenses	5,476,943
Grants	<u>1,118,313</u>
Total	24,401,480
Source of funds	
General fund	6,088,870
Special funds	166,892
Fish and wildlife fund	9,236,567
Federal funds	8,789,226
Interdepartmental transfers	<u>119,925</u>
Total	24,401,480
Sec. B.703 Forests, parks and recreation - administration	
Personal services	957,931
Operating expenses	<u>994,054</u>
Total	1,951,985
Source of funds	
General fund	<u>1,951,985</u>
Total	1,951,985
Sec. B.704 Forests, parks and recreation - forestry	
Personal services	5,879,782
Operating expenses	796,027
Grants	<u>459,000</u>
Total	7,134,809
Source of funds	
General fund	4,873,880
Special funds	412,999
Federal funds	1,487,097
Interdepartmental transfers	<u>360,833</u>
Total	7,134,809
Sec. B.705 Forests, parks and recreation - state parks	
Personal services	8,900,714
Operating expenses	<u>2,563,470</u>
Total	11,464,184
Source of funds	
General fund	292,679
Special funds	11,111,505
Permanent trust funds	<u>60,000</u>
Total	11,464,184
Sec. B.706 Forests, parks and recreation - lands administration and recreation	
Personal services	1,346,739

Operating expenses	1,384,647
Grants	<u>2,600,914</u>
Total	5,332,300
Source of funds	
General fund	853,114
Special funds	2,020,151
Federal funds	2,336,535
Interdepartmental transfers	<u>122,500</u>
Total	5,332,300
Sec. B.708 Forests, parks and recreation - forest and parks access roads	
Personal services	65,425
Operating expenses	<u>114,500</u>
Total	179,925
Source of funds	
General fund	<u>179,925</u>
Total	179,925
Sec. B.709 Environmental conservation - management and support services	
Personal services	6,617,612
Operating expenses	3,781,860
Grants	<u>150,000</u>
Total	10,549,472
Source of funds	
General fund	1,451,231
Special funds	572,936
Federal funds	809,608
Interdepartmental transfers	<u>7,715,697</u>
Total	10,549,472
Sec. B.710 Environmental conservation - air and waste management	
Personal services	19,437,340
Operating expenses	8,660,985
Grants	<u>5,076,000</u>
Total	33,174,325
Source of funds	
General fund	424,736
Special funds	22,886,187
Federal funds	9,613,852
Interdepartmental transfers	<u>249,550</u>
Total	33,174,325

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

Personal services	21,732,819
Operating expenses	6,821,783
Grants	<u>32,104,881</u>
Total	60,659,483
Source of funds	
General fund	7,994,351
Special funds	19,641,195
Federal funds	31,935,599
Interdepartmental transfers	<u>1,088,338</u>
Total	60,659,483

Sec. B.713 Natural resources board

Personal services	2,752,876
Operating expenses	<u>530,151</u>
Total	3,283,027
Source of funds	
General fund	637,074
Special funds	<u>2,645,953</u>
Total	3,283,027

Sec. B.714 Total natural resources

Source of funds	
General fund	29,608,969
Special funds	60,039,636
Fish and wildlife fund	9,236,567
Federal funds	54,971,917
Interdepartmental transfers	10,178,254
Permanent trust funds	<u>60,000</u>
Total	164,095,343

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

Personal services	2,013,794
Operating expenses	1,331,369
Grants	<u>352,627</u>
Total	3,697,790
Source of funds	
General fund	3,677,790
Interdepartmental transfers	<u>20,000</u>
Total	3,697,790

Sec. B.801 Economic development

Personal services	4,027,032
Operating expenses	1,102,979
Grants	<u>5,211,099</u>
Total	10,341,110
Source of funds	
General fund	4,942,394
Special funds	1,645,350
Federal funds	3,708,366
Interdepartmental transfers	<u>45,000</u>
Total	10,341,110

Sec. B.802 Housing & community development

Personal services	3,723,802
Operating expenses	779,039
Grants	<u>11,773,050</u>
Total	16,275,891
Source of funds	
General fund	2,753,913
Special funds	5,185,233
Federal funds	7,883,744
Interdepartmental transfers	<u>453,001</u>
Total	16,275,891

Sec. B.806 Tourism and marketing

Personal services	1,321,226
Operating expenses	1,644,599
Grants	<u>121,880</u>
Total	3,087,705
Source of funds	
General fund	3,083,118
Interdepartmental transfers	<u>4,587</u>
Total	3,087,705

Sec. B.808 Vermont council on the arts

Grants	<u>718,589</u>
Total	718,589
Source of funds	
General fund	<u>718,589</u>
Total	718,589

Sec. B.809 Vermont symphony orchestra

Grants	<u>141,214</u>
Total	141,214
Source of funds	
General fund	<u>141,214</u>
Total	141,214

Sec. B.810 Vermont historical society

Grants	<u>984,956</u>
Total	984,956
Source of funds	
General fund	<u>984,956</u>
Total	984,956

Sec. B.811 Vermont housing and conservation board

Grants	<u>30,886,467</u>
Total	30,886,467
Source of funds	
Special funds	11,900,243
Federal funds	<u>18,986,224</u>
Total	30,886,467

Sec. B.812 Vermont humanities council

Grants	<u>217,959</u>
Total	217,959
Source of funds	
General fund	<u>217,959</u>
Total	217,959

Sec. B.813 Total commerce and community development

Source of funds	
General fund	16,519,933
Special funds	18,730,826
Federal funds	30,578,334
Interdepartmental transfers	<u>522,588</u>
Total	66,351,681

Sec. B.900 Transportation - finance and administration

Personal services	12,544,062
Operating expenses	2,898,007
Grants	<u>55,000</u>
Total	15,497,069

Source of funds	
Transportation fund	14,625,869
Federal funds	<u>871,200</u>
Total	15,497,069
Sec. B.901 Transportation - aviation	
Personal services	3,714,895
Operating expenses	5,298,065
Grants	<u>231,676</u>
Total	9,244,636
Source of funds	
Transportation fund	4,749,136
Federal funds	<u>4,495,500</u>
Total	9,244,636
Sec. B.902 Transportation - buildings	
Operating expenses	<u>907,746</u>
Total	907,746
Source of funds	
Transportation fund	<u>907,746</u>
Total	907,746
Sec. B.903 Transportation - program development	
Personal services	53,367,048
Operating expenses	217,771,750
Grants	<u>27,258,553</u>
Total	298,397,351
Source of funds	
Transportation fund	41,894,979
TIB fund	11,835,572
Federal funds	244,272,581
Interdepartmental transfers	191,790
Local match	<u>202,429</u>
Total	298,397,351
Sec. B.904 Transportation - rest areas construction	
Personal services	40,000
Operating expenses	<u>639,706</u>
Total	679,706
Source of funds	
Transportation fund	99,280
Federal funds	<u>580,426</u>
Total	679,706

Sec. B.905 Transportation - maintenance state system

Personal services	45,218,248
Operating expenses	48,430,691
Grants	<u>365,000</u>
Total	94,013,939
Source of funds	
Transportation fund	91,136,152
Federal funds	2,777,787
Interdepartmental transfers	<u>100,000</u>
Total	94,013,939

Sec. B.906 Transportation - policy and planning

Personal services	4,281,699
Operating expenses	894,939
Grants	<u>6,015,583</u>
Total	11,192,221
Source of funds	
Transportation fund	2,921,480
Federal funds	8,238,741
Interdepartmental transfers	<u>32,000</u>
Total	11,192,221

Sec. B.907 Transportation - rail

Personal services	5,252,055
Operating expenses	<u>29,683,296</u>
Total	34,935,351
Source of funds	
Transportation fund	18,237,032
TIB fund	760,000
Federal funds	15,019,569
Interdepartmental transfers	<u>918,750</u>
Total	34,935,351

Sec. B.908 Transportation - public transit

Personal services	1,526,070
Operating expenses	165,372
Grants	<u>32,132,957</u>
Total	33,824,399
Source of funds	
Transportation fund	8,056,111
Federal funds	<u>25,768,288</u>
Total	33,824,399

Sec. B.909 Transportation - central garage

Personal services	4,530,648
Operating expenses	<u>15,581,390</u>
Total	20,112,038
Source of funds	
Internal service funds	<u>20,112,038</u>
Total	20,112,038

Sec. B.910 Department of motor vehicles

Personal services	21,561,929
Operating expenses	<u>11,588,772</u>
Total	33,150,701
Source of funds	
Transportation fund	31,657,492
Federal funds	1,345,934
Interdepartmental transfers	<u>147,275</u>
Total	33,150,701

Sec. B.911 Transportation - town highway structures

Grants	<u>6,333,500</u>
Total	6,333,500
Source of funds	
Transportation fund	<u>6,333,500</u>
Total	6,333,500

Sec. B.912 Transportation - town highway local technical assistance program

Personal services	357,757
Operating expenses	<u>48,550</u>
Total	406,307
Source of funds	
Transportation fund	106,307
Federal funds	<u>300,000</u>
Total	406,307

Sec. B.913 Transportation - town highway class 2 roadway

Grants	<u>7,648,750</u>
Total	7,648,750
Source of funds	
Transportation fund	<u>7,648,750</u>
Total	7,648,750

Sec. B.914 Transportation - town highway bridges

Personal services	3,239,423
Operating expenses	10,143,100
Grants	<u>451,328</u>
Total	13,833,851
Source of funds	
Transportation fund	1,304,648
TIB fund	701,815
Federal funds	10,887,721
Local match	<u>939,667</u>
Total	13,833,851

Sec. B.915 Transportation - town highway aid program

Grants	<u>26,017,744</u>
Total	26,017,744
Source of funds	
Transportation fund	<u>26,017,744</u>
Total	26,017,744

Sec. B.916 Transportation - town highway class 1 supplemental grants

Grants	<u>128,750</u>
Total	128,750
Source of funds	
Transportation fund	<u>128,750</u>
Total	128,750

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

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

Sec. B.918 Transportation - town highway: state aid for federal disasters

Grants	<u>180,000</u>
Total	180,000
Source of funds	
Transportation fund	20,000
Federal funds	<u>160,000</u>
Total	180,000

Sec. B.919 Transportation - municipal mitigation assistance program

Operating expenses	204,000
Grants	<u>2,694,000</u>
Total	2,898,000
Source of funds	
Transportation fund	700,000
Special funds	770,000
Federal funds	<u>1,428,000</u>
Total	2,898,000

Sec. B.920 Transportation - public assistance grant program

Operating expenses	500,000
Grants	<u>3,640,000</u>
Total	4,140,000
Source of funds	
Transportation fund	100,000
Special funds	640,000
Federal funds	3,000,000
Interdepartmental transfers	<u>400,000</u>
Total	4,140,000

Sec. B.921 Transportation board

Personal services	246,347
Operating expenses	<u>35,844</u>
Total	282,191
Source of funds	
Transportation fund	<u>282,191</u>
Total	282,191

Sec. B.922 Total transportation

Source of funds	
Transportation fund	258,077,167
TIB fund	13,297,387
Special funds	1,410,000
Federal funds	319,145,747
Internal service funds	20,112,038
Interdepartmental transfers	1,789,815
Local match	<u>1,142,096</u>
Total	614,974,250

Sec. B.1000 Debt service

Operating expenses	<u>82,215,729</u>
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Total	82,215,729
Source of funds	
General fund	78,088,324
Transportation fund	560,231
ARRA funds	1,069,511
TIB debt service fund	<u>2,497,663</u>
Total	82,215,729

Sec. B.1001 Total debt service

Source of funds	
General fund	78,088,324
Transportation fund	560,231
ARRA funds	1,069,511
TIB debt service fund	<u>2,497,663</u>
Total	82,215,729

Sec. B.1100 [Deleted.]

Sec. B.1100.1 [Deleted.]

Sec. B.1101 [Deleted.]

Sec. B.1102 [Deleted.]

Sec. B.1103 [Deleted.]

Sec. C.100 FISCAL YEAR 2019 ONE-TIME APPROPRIATIONS

(a) In fiscal year 2019, funds are appropriated from the General Fund and shall be carried forward as follows:

(1) To the Agency of Digital Services: \$500,000 of which \$200,000 is allocated for network device upgrades to enhance network safety and \$300,000 is allocated for a network assessment.

(2) To the Department of Buildings and General Services: \$500,000 for the purpose of installing electric vehicle charging stations at State facilities and to support the purchase of fully electric vehicles for the State motor pool.

(3) To the Legislature: \$20,000 to hire consultant services for upgrades to the legislature's software program's appointment database.

(4) To the State Treasurer: \$65,000 for a pension group membership study.

(5) To the Agency of Agriculture, Food and Markets: \$75,000 for a grant to the Vermont Housing and Conservation Board for federal rural development grant writing assistance in fiscal year 2020.

(6) To the Agency of Agriculture, Food and Markets: \$1,000,000 for grants to be awarded through the Vermont Working Lands program, pursuant to 6 V.S.A. chapter 207, subchapter 2, of which \$500,000 is allocated for grants to dairy farms to provide assistance to:

(A) diversify agricultural and value-added products produced on the farm; or

(B) implement agricultural practices that improve soil health and improve water quality.

(7) To the Agency of Agriculture, Food and Markets: \$50,000 for mosquito control, pursuant to 6 V.S.A. chapter 211.

(8) To the Agency of Agriculture, Food and Markets: \$50,000 for Farm to School nutrition initiatives.

(9) To the Agency of Human Services: \$100,000 for the study required in Sec. 12 of H.524 of 2019.

(10) To the Agency of Human Services: \$1,500,000 to fund grants for the development of an electronic medical/health records system for the State's Designated Agency system.

(A) Vermont Care Partners and the Agency of Human Services shall present a plan for review and approval by the Joint Fiscal Committee at its July 2019 meeting. The plan shall summarize the development and implementation of the system and demonstrate that this project will support the goals set forth in the statewide Health Information Technology (HIT) Plan (defined in 18 V.S.A. § 9351) and meet, at a minimum, the connectivity requirements set forth in the statewide HIT plan and the requirements of the Centers for Medicaid Services (CMS). The plan shall support current payment reform initiatives and include the projected project timeline and total budget including the allocation of this appropriation. No funds shall be released prior to review and approval by the Joint Fiscal Committee.

(11) To the Department of Health for the Vermont Recovery Network: \$240,000 to be equally divided and granted directly to each of the 12 individual Recovery Centers.

(12) To the Department of Mental Health: \$60,000 for a grant to the Copeland Center for peer support services.

(13) To the Department of Mental Health: \$375,000 to provide one-time grant funding to Critical Access Hospitals, Brattleboro Memorial Hospital, and Northwest Medical Center to build capacity to provide supervision in their Emergency Departments for people under the care and custody of the Commissioner of Mental Health to ensure the safety of patients

and hospital staff within compliance with federal regulations. The Department of Mental Health will monitor grantees use of these funds to ensure utilization follows best practices related to patient safety and supervision. Grant funding will be allocated based upon historic utilization trends within available funding.

(14) To the Department for Children and Families: \$500,000 to fund LIHEAP administration for one year as the Department transitions to lower cost methods for administering this program. The Department shall evaluate the allocation methodology of the program and whether it is being administered efficiently.

(15) To the Department for Children and Families, Office of Economic Opportunity: \$100,000 for pass-through grants to the Community Action Agencies to provide funding for the regional Microbusiness Development Programs pursuant to 3 V.S.A. § 3722.

(16) To the Department for Children and Families: \$1,000,000 for grants to the Parent Child Centers for infrastructure improvements.

(A) the Department shall report to the General Assembly on the use of these grant funds, including the recipients, grant amount and infrastructure projects.

(17) To the Department for Children and Families: \$1,000,000 to the Child Development Division to begin implementation of the plan established pursuant to Sec. E.318.4 of this act regarding information systems.

(18) To the Department for Children and Families: \$600,000 to the Child Development Division for the following:

(A) \$300,000 to facilitate the implementation of the Council for Professional Regulation's Child Development Associate Credential curriculum in technical centers throughout the State. Any unused funds appropriated pursuant to this section shall be reserved to fund grants set forth in Sec. E.318.6 of this act for students who completed the Child Development Associate Credential at a Vermont technical center.

(B) \$300,000 for grants for incentivizing child care professionals consistent with Sec. E.318.5 of this act.

(19) To the Department for Children and Families, Woodside Rehabilitation Center: \$260,000 for costs associated with transitioning from a treatment facility to a detention facility.

(20) To the Department for Children and Families, Office of Economic Opportunity, Weatherization Assistance for bridge funding: \$1,300,000.

(21) To the Department of Disabilities, Aging and Independent Living: \$750,000. These funds shall be matched with federal Medicaid funds and expended in equal amounts over fiscal years 2020 through 2022. In each year these funds shall be for the statewide administration of the Support and Services at Home (SASH) program. The intent is for this portion of statewide administration funding to transition to the statewide ACO as additional Medicare covered lives are attributed to the ACO during this three-year period. These funds are in addition to other funding included in the Department's budget for SASH. The Department shall include a report on the SASH statewide administration with the fiscal year 2021 budget presentation.

(22) To the Department of Labor: \$70,000 to design a coordinated plan for an integrated postsecondary career and technical education system and to provide services and support for New Americans pursuant to requirements enacted during the 2019 legislative session.

(23) To the Vermont State Colleges: \$200,000 for Vermont Technical College to design and pilot Associates Degree Programs consistent with the provisions of H.533, Sec. 17 of 2019. Any program designed and implemented pursuant to this subdivision subsequent to the pilot, shall not be funded by the General Fund.

(24) To the Vermont State Colleges: \$500,000 which is intended as bridge funding to permit the Vermont State Colleges in collaboration with the University of Vermont to develop comprehensive strategies to increase retention and graduation rates pursuant to Secs. E.603.1 and E.603.2 of this act.

(25) To the Vermont State Colleges: \$120,000. The Vermont State Colleges shall be the repository for the Burlington College student records.

(26) To the Vermont Student Assistance Corporation: \$500,000 to be administered in a manner that is consistent with both the existing advancement grants program and the one-time nature of this appropriation.

(27) To the Department of Forests, Parks and Recreation: \$100,000 for supplemental funding for the Vermont Outdoor Recreation Economic Collaborative grants awarded in fiscal year 2020.

(28) To the Department of Forests, Parks and Recreation: \$120,000 for logger safety and value-added forest products initiatives as follows:

(A) To support the costs of a request for proposal to develop at least three course curriculums and associated training materials for an accident prevention and safety training program for logging contractors.

(B) Grants for the purposes of providing financial assistance to reduce the total cost of the following programs for loggers:

(i) to the Vermont Logger Education to Advance Professionalism (LEAP) program for the purpose of providing financial assistance to logging contractors to reduce the total costs of logger safety training or continuing education in logger safety; and

(ii) to the Trust to Conserve the Northeast Forestlands for the purpose of cost-sharing in the certification of logging contractors in the Master Logger program.

(C) To provide grant funds of up to \$10,000 to applicants engaged in adding value to forest products within the State. These grants shall be used by the applicant to pay for expenses associated with State and local permit application costs, project consultation costs, engineering and siting costs, and expert witness analysis and testimony necessary for permitting.

(29) To the Agency of Commerce and Community Development: \$25,000 to issue as a grant for the commissioning ceremony of the USS Vermont.

(30) To the Agency of Commerce and Community Development: \$1,725,000 to fund the economic development initiatives pursuant to the provisions of H.533 of 2019.

(31) To the Department of Labor: \$275,000 to fund initiatives pursuant to the provisions of H.533 of 2019.

(32) To the Vermont Council on the Arts: \$5,000 to provide matching funds from the National Endowment for the Arts.

(33) To the Vermont Housing and Conservation Board: \$500,000 for acquisition of land that is of statewide importance.

(b) In fiscal year 2019, funds are appropriated from the AG-Fees & Reimbursements-Court Order Fund (special fund number 21638) as follows:

(1) To the Attorney General: \$250,000. This appropriation shall carry forward for use in fiscal year 2020.

(2) To the Agency of Transportation: \$1,700,000 for vehicle incentive and emissions repair programs.

(c) In fiscal year 2019, \$400,000 is appropriated from the Evidence-Based Education and Advertising Fund (special fund number 21912) to the Department of Health for the Substance Misuse Prevention Advisory Council. A portion of these funds may be used for analysis and planning including an inventory of direct substance misuse prevention funding currently allocated in

the State budget. The remaining funds shall be used to implement the comprehensive statewide substance misuse prevention plan developed by the Council.

Sec. C.101 FISCAL YEAR 2019 ONE-TIME FUND TRANSFER

(a) In fiscal year 2019, funds are transferred from the General Fund as follows:

(1) \$948,271 to the Emergency Relief and Assistance Fund, established in 20 V.S.A. § 45(c).

Sec. C.102 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. D.101 as amended by 2019 Acts and Resolves No. 6, Sec. 56 is further amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS, AND RESERVES

* * *

(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	<u>2,000,000.00</u>	<u>4,488,000.00</u>
21928	Secretary of State Services Fund		2,607,923.00
62100	Unclaimed Property Fund	<u>2,978,680.00</u>	<u>4,178,680.00</u>

* * *

(e) The following General Fund amount shall be reserved for appropriation or transfer in the fiscal year 2020 budget: ~~\$9,815,000~~ \$850,000.

Sec. C.102.1 CONTINGENT TRANSFERS AND APPROPRIATIONS:

(a) In fiscal year 2019, of the unreserved and undesignated end of fiscal year General Fund surplus remaining after satisfying the requirements of 32 V.S.A. § 308, notwithstanding 32 V.S.A. § 308c:

(1) First: fifty percent shall be transferred from the General Fund to the Vermont State Employees' Postemployment Benefits Trust Fund established by 3 V.S.A. § 479a;

(2) Second: an amount of \$9,400,000 shall be transferred to the AHS Federal Receipts Holding Account; and

(3) Third: any remaining unreserved and undesignated end of fiscal year General Fund surplus shall be reserved in the General Fund Balance Reserve.

Sec. C.102.2 FISCAL YEAR 2019; SECRETARY OF STATE FUND
BALANCE

(a) Notwithstanding 3 V.S.A. § 118(a), at the close of fiscal year 2019, the amount of \$2,607,923 shall be transferred to the General Fund pursuant to Sec. D.101 as amended by Sec. C.102 of this act. After this transfer, up to \$200,000 of any balance in the Secretary of State Services Fund number 21928, shall be appropriated and used by the Secretary of State for funding the interactive Business Portal (BizPortal) to facilitate planning and implementation for an improved process for regulatory compliance with the State.

Sec. C.103 FISCAL YEAR 2019 TOBACCO LITIGATION SETTLEMENT
FUND TRANSFER AND YEAR END BALANCE

(a) Notwithstanding 18 V.S.A. chapter 225, \$1,500,000 is transferred from the Tobacco Litigation Settlement Fund to the General Fund in fiscal year 2019.

(b) Notwithstanding 18 V.S.A. § 9502(b), the actual balances at the end of fiscal year 2019 in the Tobacco Litigation Settlement Fund established by 32 V.S.A. § 435a shall remain in the Fund.

Sec. C.104 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.125 is amended to read:

Sec. B.125 Legislative council

Personal services	4,063,930	4,168,930
Operating expenses	827,857	827,857
Total	4,891,787	4,996,787
Source of funds		
General fund	4,891,787	4,996,787
Total	4,891,787	4,996,787

Sec. C.105 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.126 is amended to read:

Sec. B.126 Legislature

Personal services	<u>4,091,578</u>	3,921,578
Operating expenses	<u>3,809,338</u>	<u>3,809,338</u>
Total	<u>7,900,916</u>	<u>7,730,916</u>
Source of funds		
General fund	<u>7,900,916</u>	<u>7,730,916</u>
Total	<u>7,900,916</u>	<u>7,730,916</u>

Sec. C.106 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.127 is amended to read:

Sec. B.127 Joint fiscal committee

Personal services	<u>1,696,568</u>	1,746,568
Operating expenses	<u>159,358</u>	<u>159,358</u>
Total	<u>1,855,926</u>	<u>1,905,926</u>
Source of funds		
General fund	<u>1,855,926</u>	<u>1,905,926</u>
Total	<u>1,855,926</u>	<u>1,905,926</u>

Sec. C.107 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.128 is amended to read:

Sec. B.128 Sergeant at arms

Personal services	<u>737,216</u>	752,216
Operating expenses	<u>68,612</u>	<u>68,612</u>
Total	<u>805,828</u>	<u>820,828</u>
Source of funds		
General fund	<u>805,828</u>	<u>820,828</u>
Total	<u>805,828</u>	<u>820,828</u>

Sec. C.108 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.503 is amended to read:

Sec. B.503 Education - state-placed students

Grants	<u>15,700,000</u>	<u>20,400,000</u>
Total	<u>15,700,000</u>	<u>20,400,000</u>
Source of funds		
Education fund	<u>15,700,000</u>	<u>20,400,000</u>
Total	<u>15,700,000</u>	<u>20,400,000</u>

Sec. C.108.1 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.507 is amended to read:

Sec. B.507 Education - small school grants

Grants	<u>7,600,000</u>	<u>7,800,000</u>
Total	<u>7,600,000</u>	<u>7,800,000</u>
Source of funds		
Education fund	<u>7,600,000</u>	<u>7,800,000</u>
Total	<u>7,600,000</u>	<u>7,800,000</u>

Sec. C.109 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.516 as amended by 2019 Acts and Resolves No. 6, Sec. 40 is further amended to read:

Sec. B.516 Total general education

Source of funds

General fund	136,968,810	136,968,810
Special funds	19,483,091	19,483,091
Tobacco fund	750,388	750,388
Education fund	<u>1,650,519,334</u>	<u>1,655,419,334</u>
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	<u>1,958,248,795</u>	<u>1,963,148,795</u>

Sec. C. 110 2018 (Sp. Session) Acts and Resolves No. 11, Sec. B. 514 is amended to read:

Sec. B.514 State teachers' retirement system

Grants	<u>99,940,777</u>	<u>100,440,777</u>
Total	<u>99,940,777</u>	<u>100,440,777</u>
Source of funds		
General fund	<u>92,241,519</u>	<u>92,741,519</u>
Education fund	<u>7,699,258</u>	<u>7,699,258</u>
Total	<u>99,940,777</u>	<u>100,440,777</u>

Sec. C. 111 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.515 is amended to read:

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

Grants	<u>31,639,205</u>	<u>31,139,205</u>
Total	<u>31,639,205</u>	<u>31,139,205</u>
Source of funds		
General fund	<u>31,639,205</u>	<u>31,139,205</u>

Total	31,639,205	31,139,205
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Sec. C.112 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.514 is amended to read:

Sec. E.514 State teachers' retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$105,640,777 of which ~~\$99,940,777~~ \$100,440,777 shall be the State's contribution and ~~\$5,700,000~~ \$5,200,000 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

* * *

Sec. C.113 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.515 is amended to read:

Sec. E.515 Retired teachers' health care and medical benefits

(a) In accordance with 16 V.S.A. § 1944b(b)(2), ~~\$31,639,205~~ \$31,139,205 will be contributed to the Retired Teachers' Health and Medical Benefits Fund.

Sec. C.114 2017 Acts and Resolves No. 69, Sec. C.1 is amended to read:

Sec. C.1. THE GREEN MOUNTAIN SECURE RETIREMENT PLAN

(a) The State of Vermont shall, consistent with federal law and regulation, ~~adopt design and implement a voluntary Multiple Employer Plan (MEP)~~ ERISA-covered public retirement plan, employing a multiple employer plan or aggregated single employer plans, which shall remain in compliance with federal law and regulations once implemented, and shall be called the "Green Mountain Secure Retirement Plan."

* * *

(c) The Plan shall:

* * *

(2) automatically enroll all employees of employers that choose to participate ~~in the MEP~~;

(3) allow employees the option of withdrawing their enrollment and ending their participation ~~in the MEP~~;

* * *

~~(d) The State of Vermont shall implement the "Green Mountain Secure Retirement Plan" on or before January 15, 2019, based on the recommendations of the Public Retirement Plan Study Committee as set forth in 2016 Acts and Resolves No. 157, Sec. F.1.~~

Sec. C.115 SPECIAL FUND APPROPRIATION FOR TAX COMPUTER SYSTEMS

(a) In fiscal year 2019, \$10,000,000 is appropriated to the Department of Taxes from the Tax Computer System Modernization Special Fund established pursuant to 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, and as further amended by 2019 Acts and Resolves No. 6, Sec. 102. This appropriation shall carry forward through fiscal year 2022.

Sec. C.116 2019 Acts and Resolves No. 6, Sec. 88 is amended to read:

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:

* * *

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

~~(A) \$250,000 to be reserved to fund contracted 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.~~

(i) The Joint Fiscal Office is authorized to enter into a direct contract with the University of Vermont in lieu of a bid process. In the event that such a contract takes place, the payments shall be made in intervals of: twenty-five percent (25%) upon signing; thirty percent (30%) to be paid after approval of a final work plan by the Chairs of the House and Senate Committees on Appropriations, the House Committee on Human Services, and the Senate Committee on Health and Welfare Committee; thirty percent (30%) on agreed upon mid-contract term project status report or presentation; and fifteen percent (15%) upon report completion and presentation to the Legislature on or before January 30, 2020.

(ii) The Agency of Human Services and the Department for Children and Families shall execute memoranda and provide available data in a reasonably timely fashion and in a manner consistent with any State and federal requirements as needed for this research project.

(B) \$25,000 to be reserved to fund, ~~contracted services~~ if necessary as determined by the Joint Fiscal Committee, a direct contract with the Council of State Governments Justice Center for a report to the General Assembly on or before December 15, 2019 on research and findings related to:

(i) developing and implementing a systems-level, data-driven plan to reduce the number of people with mental illnesses who are detained or incarcerated; or

(ii) developing a comprehensive approach to expungement and sealing of criminal history records to help individuals with a criminal record overcome barriers to employment and licensing through clearing their records; or

(iii) Vermont's population of incarcerated women, including the types of offenses and risk of reoffense for which this population is incarcerated and alternatives to incarceration available to this population to assist the State in its planning for correctional facilities; or

(iv) 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.~~

* * *

Sec. C.117 LOAN AUTHORIZATION AND FUNDING SOURCE

(a) Up to \$1,000,000 of the funds appropriated in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.1000(a)(14) may be used in fiscal year 2019 for a bridge loan to Springfield Hospital. Repayment of these funds either through direct payment or withheld Medicaid claims shall be deposited into the General Fund.

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

(1) The sum of \$518,000 is appropriated from the Current Use Administration Special Fund to the Department of Taxes for administration of the Use Tax Reimbursement Program. Notwithstanding 32 V.S.A. § 9610(c),

amounts above \$518,000 from the property transfer tax that are deposited into the Current Use Administration Special Fund shall be transferred into the General Fund.

(2) The sum of \$10,804,840 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB). Notwithstanding 10 V.S.A. § 312, amounts above \$10,804,840 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) is to be offset by the reduction of \$1,500,000 in the appropriation to the VHCB and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2020 appropriation of \$10,804,840 to VHCB reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the appropriation to VHCB is intended to be restored.

(3) The sum of \$3,760,599 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,760,599 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$3,760,599 shall be allocated as follows:

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

(B) \$457,482 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b);

(C) \$378,700 to the Agency of Digital Services for the Vermont Center for Geographic Information established in 10 V.S.A. § 122.

Sec. D.101 FUND TRANSFERS AND REVERSIONS

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

(1) From the Clean Water Fund established by 10 V.S.A. § 1388 to the following:

(A) Agricultural Water Quality Special Fund created under 6 V.S.A. § 4803: \$3,255,000.

(B) Lake in Crisis Response Program Fund created under 10 V.S.A. § 1315: \$50,000.

(2) From the Transportation Fund to the Downtown Transportation and Related Capital Improvement Fund established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$423,966.

(3) From the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund established by 32 V.S.A. § 951a for funding fiscal year 2021 transportation infrastructure bonds debt service: \$2,502,613.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2020:

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

<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>15,874,593.00</u>
<u>50300</u>	<u>Liquor Control Fund</u>	<u>1,805,000.00</u>
<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>2,505,143.00</u>
	<u>Caledonia Fair</u>	<u>5,000.00</u>
	<u>North Country Hospital Loan</u>	<u>24,250.00</u>

(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 2020. 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.

<u>21638</u>	<u>AG-Fees & Reimbursements-Court Order</u>	<u>2,000,000.00</u>
<u>21928</u>	<u>Secretary of State Services Fund</u>	<u>2,032,817.00</u>

(3) In fiscal year 2020, notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, \$32,455,763 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 2020:

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

<u>1210001000</u>	<u>Legislative Council</u>	<u>75,000.00</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>

Sec. D.101.1 FISCAL YEAR 2020 CONTINGENT TRANSFER FROM
GENERAL FUND TO RETIRED TEACHERS' HEALTH
AND MEDICAL BENEFITS FUND

(a) If the available General Fund forecast adopted by the Emergency Board in July 2019 for fiscal year 2020 (the "adopted forecast"), including the amount shifted into the General Fund from the merger with the Health Care Resources Fund, is greater than \$1,587,000,000 the Commissioner of Finance and Management shall transfer 100 percent of the amount over \$1,587,000,000 to the Retired Teachers' Health and Medical Benefits Fund established by 16 V.S.A. § 1944b.

(b) Subsection (a) of this section is designed and intended to provide an estimated \$20,000,000 for the fiscal year 2020 budget adjustment or other fiscal pressures in the fiscal year 2020 budget. Given this intent, the Emergency Board shall review the fiscal year 2020 available General Fund forecast and shall make any adjustments needed to the transfer authorized in subsection (a) of this section to accomplish this intent.

Sec. D.102 [Deleted.]

Sec. D.103 [Deleted.]

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

(c) The Human Services Caseload Reserve shall contain two sub-accounts:

(1) A sub-account for incurred but not reported Medicaid expenses. Each year beginning with fiscal year 2020, the Department of Finance and Management shall adjust the amount reserved for incurred but not reported Medicaid expenses to equal the amount specified in the most recently completed Comprehensive Annual Financial Report as of June 30th of the prior fiscal year for the estimated amount of incurred but not reported Medicaid expenses associated with the current Medicaid Global Commitment waiver.

* * * GENERAL GOVERNMENT * * *

Sec. E.100 EXECUTIVE BRANCH POSITION AUTHORIZATIONS

(a) The establishment of the following permanent classified positions is

authorized in fiscal year 2020:

(1) In the Department for Children and Families' Family Services Division – seven (7) Family Services Worker, one (1) Family Services Supervisor, and three (3) Resource Coordinator.

(2) In the Department of Disabilities, Aging, and Independent Living – one (1) Director of Deaf, Hard of Hearing, and DeafBlind Services.

(b) The establishment of the following permanent exempt position is authorized in fiscal year 2020:

(1) In the Department for Children and Families' Family Services Division – one (1) Assistant Attorney General to fill the position of a staff attorney.

(c) The conversion of classified limited service positions to classified permanent status is authorized in fiscal year 2020 as follows:

(1) In the Office of the Attorney General – one (1) Legal Assistant II (position #190071), two (2) Medicaid Analyst (position #190076 and #190080).

(d) The conversion of exempt limited service positions to exempt permanent status is authorized in fiscal year 2020 as follows:

(1) In the Office of the Attorney General – one (1) Assistant Attorney General (position #197053), two (2) Legal Division Chief (position #197054 and #197055) and one (1) Senior Assistant Attorney General (position #197059).

(e) The positions established in subsections (a) and (b) of this section shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions, as defined in Sec. A.107 of this act.

Sec. E.100.1 [Deleted.]

Sec. E.101 [Deleted.]

Sec. E.106 DETERMINATION OF PARAMETERS FOR THE
ESTABLISHMENT OF SPECIAL FUNDS AND SPECIAL
FUND REVIEW

(a) The Commissioner of Finance and Management, in consultation with the Legislative Joint Fiscal Office and with the assistance of the Office of Legislative Council, shall consider and make recommendations to the General Assembly regarding the circumstances under which a new special fund should be established and the parameters to which the new special fund should adhere.

(b) The Commissioner shall review existing special funds to determine if they are still viable and, if not, whether they should be eliminated.

(c) The Commissioner, in consultation with the Legislative Joint Fiscal Office shall develop a common multiyear reporting format for special funds and shall identify a group of funds to be presented in this format for the period of fiscal year 2016 through fiscal year 2019.

Sec. E.111 Tax – administration/collection

(a) Of this appropriation, \$15,000 is from the Current Use Administration Special Fund established by 32 V.S.A. § 9610(c) and shall be appropriated for programming changes to the CAPTAP software used by municipalities for establishing property values and administering their grand lists.

Sec. E.112 2015 Acts and Resolves No. 58, Sec. E.112 is amended to read:

Sec. E.112 ENERGY EFFICIENCY; STATE BUILDINGS AND
FACILITIES

* * *

(b) Notwithstanding any provision of Title 30 of the Vermont Statutes Annotated, Public Service Board order, or other provision of law to the contrary:

(1) The Department and Efficiency Vermont (EVT) shall augment the Program for a preliminary period of ~~four~~ eight years commencing in fiscal year 2016 under which EVT shall provide the Department with support for the Program to deliver cost-effective energy efficiency and conservation measures to State buildings and facilities. The Department and EVT may agree to continue conducting this augmented Program in subsequent fiscal years, after considering recommendations for improvement based on evaluation of the preliminary period.

* * *

(2) In addition to the requirements of subdivision (1) of this ~~section~~ subsection, the project shall include provision by EVT of support for personnel to implement the Program during fiscal years 2016 to ~~2019~~ 2023.

* * *

(B) Under this subdivision (2), EVT shall provide up to \$290,000 during fiscal year 2016. For the remaining ~~three~~ seven fiscal years, EVT shall provide an additional amount sufficient to support annual salary and benefit adjustments. These funds shall be received in the Facilities Operations Fund established in 29 V.S.A. § 160a, and may be spent using excess receipts authority.

(3) The Public Service Board shall adjust any performance measures applicable to EVT to recognize the requirements of this section.

(c) The Department and EVT shall execute a new or amended memorandum of understanding to implement this section, which shall include targets for future energy savings, a process for determining how savings targets are met, and details of EVT's commitment for personnel over ~~a four~~ an eight-year time period.

(d) On or before October 1 of each year commencing in 2016 and ending in ~~2019~~ 2023, the Department and EVT shall provide a joint report on the implementation of this section.

* * *

(5) The report to be submitted in 2019 and in 2023 shall contain an evaluation of the Program authorized under this section and any resulting recommendations, including recommendations related to Program continuation beyond 2023.

* * *

Sec. E.113 Buildings and general services – engineering

(a) The \$3,583,423 interdepartmental transfer in this appropriation shall be from the fiscal year 2020 General Bond Fund appropriation in the Capital Bill of the 2019 legislative session.

Sec. E.124 32 V.S.A. § 306 is amended to read:

§ 306. BUDGET REPORT

(a) The Governor shall submit to the General Assembly, not later than the third Tuesday of every annual session, a budget which shall embody his or her estimates, requests, and recommendations for appropriations or other authorizations for expenditures from the State Treasury. In the first year of the biennium, the budget shall relate to the two succeeding fiscal years. In the second year of the biennium, it shall relate to the succeeding fiscal year. The budget shall be based upon the official State revenue estimates, including the Medicaid estimated caseloads and per-member per-month expenditures, adopted by the Emergency Board pursuant to section 305a of this title.

(1) ~~The As part of the budget report, the Governor shall:~~

(A) develop and publish annually for public review ~~as part of the budget report~~ a current services budget, providing the public with an estimate of what the current level of services is projected to cost in the next fiscal year;

(B) provide an estimated cost of deferred infrastructure maintenance in the State's transportation system; and

(C) itemize current services liabilities, including the total obligations and the amount estimated for full funding in the current year in which an amortization schedule exists. These shall include the following liabilities projected for the start of the budget fiscal year:

(i) pension liabilities for the Vermont State Employees' Retirement System (VSERS) and the Vermont State Teachers' Retirement System (VSTRS), and other postemployment benefit liabilities under current law and relevant Government Accounting Standards Board standards for these systems;

(ii) child care fee scale funding requirements pursuant to 33 V.S.A. § 3512 to bring total year funding to current market rates and current federal poverty levels;

(iii) Reach Up funding full benefit obligations, including the standard of need for the current fiscal year, prior to any rateable reductions made pursuant to 33 V.S.A. §1103(a), which ensure that the expenditures for the programs shall not exceed appropriations;

(iv) statutory funding levels from the Property Transfer Tax;

(v) projected fund liabilities of the funds identified in the "Notes" section of the most recent Comprehensive Annual Financial Report (CAFR), including the Workers' Compensation Fund, the State Liability Insurance Fund, the Medical Insurance Fund, and the Dental Insurance Fund; and

(vi) a summary of other nonmajor enterprise funds and internal service funds where deficits exist in excess of \$1,500,000.

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

* * *

Sec. E.126 2 V.S.A. chapter 14 is added to read:

CHAPTER 14. JOINT LEGISLATIVE MANAGEMENT COMMITTEE

§ 451. CREATION OF COMMITTEE: PURPOSE

(a) Creation. There is created the Joint Legislative Management Committee. The Committee shall provide general oversight and management across the offices of the General Assembly and administrative services to the legislative offices and the legislature.

(b) Membership. The Committee shall be composed of the following

members:

(1) four members of the House, which shall include representatives of the Legislative Council Committee, the Joint Fiscal Committee, and the Rules Committee, and shall consist of:

(A) the Speaker of the House; and

(B) three members of the House appointed by the Speaker, not all from the same political party, and

(2) four members of the Senate, which shall include representatives of the Legislative Council Committee, the Joint Fiscal Committee, and the Rules Committee, and shall consist of:

(A) the President Pro Tempore; and

(B) three members of the Senate appointed by the Committee on Committees, not all from the same political party.

(c) Members shall serve a term of two years or until their successors are appointed. The term of a member shall end upon his or her ceasing to be a member of the General Assembly.

(d) Interim vacancies may be filled by appointment by the Committee on Committees or the Speaker of the House in the same manner as in subsection (b) of this section.

(e) Initial appointments shall be made upon passage of this act, with initial terms concluding at the time new appointments to the Committee are made in January 2021.

(f) Subsequent appointments shall be made biennially at the same time as standing committees.

(g) The Committee shall meet immediately following the appointment of its membership to elect a chair and a vice chair and to organize and conduct its business. The Committee may meet as often as it deems necessary and a majority of the members shall constitute a quorum for the transaction of business. Meetings may be called by the Chair or by a majority of the members.

(h) For attending a meeting of Committee when he or she is not receiving compensation as a member of the General Assembly, a member of the Committee shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of standing committees under section 406 of this title.

Sec. E.126.1 JOINT LEGISLATIVE MANAGEMENT COMMITTEE;
INITIAL DUTIES IN 2019

(a) The Joint Legislative Management Committee, established pursuant to 2 V.S.A. § 451, shall consider and recommend the most appropriate organization, structure, and oversight of the staff and staff offices of the General Assembly. The Committee shall:

(1) Consider the recommendations contained in the National Conference of State Legislatures (NCSL) "Vermont General Assembly Legislative Branch Workforce Comparative Evaluation" March 2019 report.

(2) Consult with and consider the recommendations of:

(A) the Joint Fiscal Committee;

(B) the Legislative Council Committee;

(C) the Legislative Information Technology Committee;

(D) the Joint Rules Committee;

(E) the Chief Fiscal Officer, Director and Chief Counsel, House Clerk, Senate Secretary, and Sergeant at Arms;

(F) supervisors and employees of every staff office as the Committee deems appropriate;

(G) members of the General Assembly as the Committee deems appropriate; and

(H) any other person the Committee deems appropriate.

(b) Report. On or before November 1, 2019, the Committee shall submit to the General Assembly a written report setting forth detailed recommendations concerning the most appropriate organization, structure, and oversight of the staff and staff offices of the General Assembly.

(c) The report shall contain draft statutory language and draft budgetary changes necessary to implement the recommendations set forth in the Committee's report.

(d) Assistance. In carrying out the duties set forth in this section, the Committee shall have the assistance and support of the Joint Fiscal Office, the Office of Legislative Council, and the Sergeant at Arms.

Sec. E.126.2 LEGISLATIVE BRANCH POSITIONS

(a) Legislature: The establishment of two (2) new permanent exempt Legislative Staff positions is authorized within the legislature in fiscal year

2020. The position titles will be determined by the Joint Legislative Management Committee.

(b) Joint Fiscal Office: The establishment of one (1) new permanent exempt Administrative Research Assistant position is authorized within the legislative Joint Fiscal Office in fiscal year 2020.

Sec. E.126.3 JOINT LEGISLATIVE JUSTICE OVERSIGHT
COMMITTEE; 2019 LEGISLATIVE INTERIM

(a) During the 2019 legislative interim, the Joint Legislative Justice Oversight Committee shall consider the following criminal justice reform strategies as part of an effort that will be called Justice Reinvestment II. These policies should be pursued in order to create a smarter criminal justice system that prevents avoidable incarceration, returns people to communities without risking public safety, and reduces or eliminates the need for out-of-state prison placements or new prison bed capacity in Vermont:

(1) furlough reform, including the possible elimination of furlough;

(2) management of the detainee population;

(3) sentencing reforms, including the possible elimination of weekend and nighttime sentences, and the possible elimination of community work crew in favor of restorative justice and reentry planning;

(4) expansion of restorative justice programs including diversion and community justice centers;

(5) establishment of new transitional housing facilities and services to reintegrate offenders into the community;

(6) establishment of new treatment-centered facilities as an alternative to incarceration for certain drug and DUI offenses;

(7) parole reform, including presumptive parole and the role of the parole board; and

(8) the release of offenders for whom community-based treatment and services would be more appropriate.

(b) The Committee should utilize the expertise of the Justice Center of the Council on State Governments to the maximum extent possible, and shall report any recommendations in the form of proposed legislation to the General Assembly on or before December 15, 2019.

Sec. E.127 2 V.S.A. § 501(a) is amended to read:

(a) There is created a Joint Fiscal Committee whose membership shall be appointed at the beginning on or before January 15 of each biennial session of

the General Assembly. The Committee shall consist of five Representatives and five Senators as follows:

* * *

Sec. E.127.1 2 V.S.A. § 503 is amended to read:

§ 503. FUNCTIONS

* * *

(b) The Joint Fiscal Committee shall:

(1) furnish research services and secretarial services of a fiscal nature to the House and Senate Committees on Appropriations, the Senate Committee on Finance, the House Committee on Ways and Means, the House and Senate Committees on Transportation, and the Joint Fiscal Committee;

(2) carry on a continuing review of the fiscal operations of the State, including revenues, budgeting, and expenditures;

(3) accept grants and approve any related limited service positions, gifts, loans, or any other thing of value, approved by the Governor, under the provisions of 32 V.S.A. § 5, when the General Assembly is not in session; and

* * *

Sec. E.127.2 32 V.S.A. § 5 is amended to read:

§ 5. ACCEPTANCE OF GRANTS

(a) No Definitions. As used in this section:

(1) “Loan” means a loan that is interest free or below market value.

(2) “State agency” means an Executive Branch agency, department, commission, or board.

(b) Executive Branch approval.

(1) Approval required. A State agency shall not accept the original of any grant, gift, loan, or any sum of money, or thing of value may be accepted by any agency, department, commission, board, or other part of State government except as follows:

(A) the State agency is granted approval pursuant to this subsection;
or

(B) Joint Fiscal Committee policies adopted pursuant to subsection
(e) of this section do not require a State agency to obtain approval.

(2) Governor review.

~~(1) All such items must be submitted to the~~ The Governor who shall review each grant, gift, loan, or any sum of money, or thing of value and shall send a copy of the approval or rejection to the Joint Fiscal Committee through the Joint Fiscal Office together with the following information with respect to said these items:

(A) the source of ~~the grant, gift, or loan~~ and value;

(B) the legal and referenced ~~titles of the grant,~~ title, in the case of a grant;

(C) the costs, direct and indirect, for the present and future years ~~related to such a grant~~;

(D) the receiving department ~~and/or program which will utilize the grant,~~ or both;

(E) a brief statement of purpose; and

(F) any impact on existing programs if ~~grant there is not accepted a rejection.~~

~~(2)~~(3) Legislative review.

(A) The Governor's approval in subdivision (b)(2) of this section shall be final ~~unless~~ except as follows:

(i) When the General Assembly is not in session, within 30 days of receipt of such information the copy of an approval and related information required under subdivision (b)(2) of this section, a member of the Joint Fiscal Committee requests such grant, gift, loan, sum of money, or thing of value be placed on the Committee's agenda of the Joint Fiscal Committee; or,

(ii) when the General Assembly is in session, within 30 days of receipt of the copy of an approval and related information required under subdivision (b)(2) of this section, a member of the Committee requests that such grant, gift, loan, sum of money, or thing of value be held for legislative approval. If a copy of an approval and related information is received when the General Assembly is in session, but before the members of the Joint Fiscal Committee are appointed, one of the statutorily appointed members of the Committee may request to hold a grant for legislative approval. Legislative approval under this subdivision may be granted by legislation or resolution.

(B) In the event of such a request to hold a grant made pursuant to subdivision (3) of this subsection, the grant shall not be accepted until approved by the Joint Fiscal Committee or the ~~Legislature~~ General Assembly.

(C) The 30-day period described in subdivision (3)(A)(i) of this subsection may be reduced where expedited consideration is warranted in

accordance with ~~adopted~~ Joint Fiscal Committee policies adopted pursuant to subsection (e) of this section.

~~(D) During the legislative session~~ Upon receipt of the copy of an approval and related information required under subdivision (b)(2) of this section while the General Assembly is in session, the Joint Fiscal Committee shall promptly file a notice with the House and Senate Clerks for publication in the respective calendars of any grant approval requests that are submitted by the administration.

~~(3)(4)~~ Exceptions.

~~(A) General. This~~ The review and approval process set forth in subsection (b) of this section shall not apply to the following items, if the acceptance of those items will not incur additional expense to the State or create an ongoing requirement for funds, services, or facilities:

~~(i) the acceptance of grants, gifts, donations, loans, sums of money, or other things of value with a value of \$5,000.00~~ \$15,000.00 or less, if the acceptance of those items will not incur additional expense to the State or create an ongoing requirement for funds, services, or facilities; or

~~(ii) the acceptance by the Department of Forests, Parks and Recreation and the Department of Fish and Wildlife of grants, gifts, donations, loans, or other things of value with a value of \$15,000.00 or less; or~~

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

~~(B)(i) Notification required. The receiving agency shall promptly notify the Secretary of Administration and Joint Fiscal Office shall be promptly notified of the source, value, and purpose of any items received under this subdivision; provided, however, that no notification is required for an item received under this subdivision with a value of less than \$1,500.00.~~

~~(ii) The Joint Fiscal Office shall report all such items received under this subdivision to the Joint Fiscal Committee quarterly. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision.~~

~~(4)(5) Transportation. With respect to acceptance of the original of a federal transportation earmark or of a discretionary federal grant for a transportation project, the provisions of subdivisions~~ subdivision (1) and (2) of this subsection shall apply, except that in addition:

~~(A) notification of the Governor's approval or rejection shall also be made to the Chairs of the House and Senate Committees on Transportation;~~

and

(B) such grant or earmark shall be placed on the agenda, and shall be subject to the approval, of a committee comprising the Joint Fiscal Committee and the Chairs of the House and Senate Committees on Transportation, if one of the Chairs or a member of the Joint Fiscal Committee so requests.

(c) Legislative and Judicial Branch approval.

(1) Approval required. The Legislative and Judicial Branches shall not accept the original of any grant, gift, loan, or any sum of money, or thing of value except as follows:

(A) approval is granted pursuant to the process set forth in subdivision (b)(3) of this section if the item received has a value of more than \$15,000; and

(B) notification is sent to the Joint Fiscal Committee and the Secretary of Administration of the source, value, and purpose of the item received if the item has a value of \$1,500.00 or more.

(2) Exceptions. The review process set forth in subdivision (b)(2) of this section shall not apply to the approval of any grant, gift, loan, or any sum of money, or thing of value received by the Legislative or Judicial Branches.

(b)(d) In accordance with subsection (a) of this section, Limited service position. The Joint Fiscal Committee is authorized to approve a limited service position request in conjunction with a grant, a limited service position request for a if the position is explicitly stated for a specific purpose in the grant, may be authorized and the position request is approved pursuant to the process set forth in subsection (b) of this section. The position shall terminate with the expiration of the grant funding unless otherwise funded by an act of the General Assembly. Such authorized A limited service positions position request shall not be created until the appointing authority has certified include a certification from the appointing authority to the Joint Fiscal Committee that there exists equipment and housing for the positions position or that funds are available to purchase equipment and housing for the positions position.

(e) Policies. The Joint Fiscal Committee is authorized to adopt policies to implement this section, including a policy on expedited review by the Joint Fiscal Committee when the General Assembly is not in session.

Sec. E.131 10 V.S.A. § 9 is amended to read:

§ 9. INVESTMENT IN VERMONT COMMUNITY LOAN FUND

Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary, the State Treasurer is authorized to invest up to ~~\$1,000,000.00~~ \$1,500,000.00 of

short-term operating or restricted funds in the Vermont Community Loan Fund on terms acceptable to the Treasurer and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § 433(b)-(c).

Sec. E.133 Vermont state retirement system

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2020, investment fees shall be paid from the corpus of the Fund.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec. B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of the hydroelectric plants and other property owned by TransCanada Hydro Northeast, Inc. and its successor Great River Hydro, LLC in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. E.142 Payments in lieu of taxes

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act. Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

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

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

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

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

* * * PROTECTION TO PERSONS AND PROPERTY * * *

Sec. E.200 Attorney general

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

retained shall be used to finance Medicaid Fraud and Residential Abuse Unit activities.

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,390,500 is appropriated in Sec. B.200 of this act.

Sec. E.204 RUTLAND ADULT TREATMENT COURT DOCKET

(a) In the event the Rutland Adult Treatment Court program does not achieve an average minimum of 20 participants per month during the months of July 2019 through June 2020, a Task Force shall meet before July 15, 2020 to discuss how to restore the number of Rutland Adult Treatment Court participants to historical levels and whether to consider the addition of a Family Treatment Court track. The Task Force established by this section shall consist of a representative appointed by the Chief Superior Judge, the Attorney General, the Defender General, and the Executive Director of the Department of State's Attorneys and Sheriffs. The Task Force shall consult with Project Vision, and shall report its recommendations to the Joint Legislative Justice Oversight Committee on or before October 1, 2020. Failure to achieve a minimum of 20 participants per month shall result in the removal of State General Funds effective November 1, 2020.

Sec. E.208 Public safety – administration

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

Sec. E.208.1 SCHOOL SAFETY AND SECURITY GRANT PROGRAM;
ADDISON-RUTLAND SUPERVISORY UNION

(a) The Department of Public Safety shall use \$82,000 of the amount appropriated in Sec. 13 of the fiscal year 2020 Capital Construction and State Bonding Act for the School Safety and Security Grant Program to reimburse capital eligible expenses paid by the Addison-Rutland Supervisory Union to implement safety and security measures at schools within the district.

Sec. E.209 Public safety – state police

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

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

Sec. E.212 Public safety – fire safety

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

Sec. E.215 Military – administration

(a) The amount of \$1,426,718 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Educational Assistance program established in 16 V.S.A. § 2856 and the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 Military – veterans' affairs

(a) Of this appropriation, \$1,000 shall be used for continuation of the Vermont Medal Program; \$4,800 shall be used for the expenses of the Governor's Veterans' Advisory Council; \$7,500 shall be used for the Veterans' Day parade; \$5,000 shall be used for the Military, Family, and Community Network; and \$10,000 shall be granted to the American Legion for the Boys' State and Girls' State programs.

Sec. E.219.1 [Deleted.]

Sec. E.220 Center for crime victim services

(a) Notwithstanding 20 V.S.A. § 2365(c), the Vermont Center for Crime Victim Services shall transfer \$49,253 from the Domestic and Sexual Violence Special Fund established in 13 V.S.A. § 5360 to the Criminal Justice Training Council for the purpose of funding one-half of the costs of the Domestic Violence Trainer position. The other half of the position will be funded with an appropriation to the Criminal Justice Training Council.

Sec. E.224 Agriculture, food and markets – agricultural development

(a) Of the funds appropriated in Sec. B.224 of this act, the amount of \$594,000 in general funds is appropriated for expenditure by the Working Lands Enterprise Board established in 6 V.S.A. § 4606 for investments in food and forest system businesses and services providers pursuant to 6 V.S.A. § 4607 and consistent with the funding priorities in 2012 Acts and Resolves

No. 142, Sec. 5, as amended by 2014 Acts and Resolves No. 179, Sec. E.224.1.

Sec. E.233 [Deleted.]

Sec. E.233.1 DEPARTMENT OF PUBLIC SERVICE TRANSFER FROM
RESERVES

(a) Notwithstanding 30 V.S.A. § 22(d)(1) and (3), on June 30 of fiscal year 2019, from any balance in the amount allocated to the Public Utility Commission from the special fund for the maintenance of engineering and accounting forces (special fund) pursuant to 30 V.S.A. § 22(c), sufficient monies shall be transferred to the Department of Public Service for the sole purpose of closing any special fund sub-account fund deficit in the Department of Public Service.

* * * HUMAN SERVICES * * *

Sec. E.300 Agency of Human Services – secretary’s office

(a) The Secretary of Human Services shall identify funds to support the Caring Dad’s Program within existing appropriations.

Sec. E.300.1 TRANSITION OF STATE HEALTH CARE RESOURCES
FUND REVENUES TO THE GENERAL FUND

(a) The Department of Finance and Management shall report 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 Sec. B.301 of this act, as amended by 2019 Acts and Resolves No. 6:

(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 Employers’ Health Care Fund 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, 2020.

Sec. E.300.2 DEPOSIT AND USE OF MASTER SETTLEMENT FUND

(a) Deposit of Master Tobacco Settlement receipts and appropriations of Tobacco Settlement funds in fiscal year 2020 are made, notwithstanding 2013 Acts and Resolves No. 50, Sec. D.104.

Sec. E.300.3 FUNDING FOR THE OFFICE OF THE HEALTH CARE
ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,457,406 shall be used for the contract with the Office of the Health Care Advocate.

Sec. E.300.4 SPECIALIZED HOUSING VOUCHERS

(a) The Secretary of Human Services shall convene a working group to include one representative from each of the Departments of Mental Health, of Corrections, for Children and Families, of Disabilities, Aging, and Independent Living, and of Housing and Community Development within the Agency of Commerce and Community Development; the Vermont State Housing Authority; and the Vermont Housing and Conservation Board to develop a strategy to fully utilize available federal rental assistance funds for vulnerable populations in Vermont. This rental assistance, in the form of specialized and rapid rehousing vouchers, serves specialized, vulnerable populations, including homeless families with children, homeless youths, chronically homeless individuals with mental illness, and families that have lost or are at risk of losing a child to State custody. The working group shall consult with community-based housing and human services providers and examine the following:

(1) whether existing expenditures on case management or other services for this vulnerable population could be utilized as match to draw federal specialized voucher funds; and

(2) Vermont's current allocation of housing assistance funds to ensure that Vermont maximizes the ability of the State to draw federal voucher funds; and

(3) any other recommendations the working group may make to help avoid further loss of these specialized vouchers.

(b) On or before November 1, 2019, the Secretary of Human Services shall report the findings of the working group to the Secretary of Administration for possible inclusion in the Governor's 2021 budget request and concurrently to the House Committees on Appropriations, on Health and Welfare, and on General, Housing, and Military Affairs and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.

Sec. E.300.5 18 V.S.A. § 4653(a) is amended to read:

(a) On or before July 1, ~~2019~~ 2020, the Agency of Human Services shall submit a formal request to the Secretary of the U.S. Department of Health and Human Services for certification of the State's wholesale prescription drug importation program.

Sec. E.300.6 3 V.S.A. § 3028 is added to read:

§ 3028. WHOLESALE PRESCRIPTION DRUG IMPORTATION
PROGRAM

(a) The Agency of Human Services shall be responsible for the development and, upon approval from the Secretary of the U.S. Department of Health and Human Services, the implementation and administration of a wholesale prescription drug importation program that complies with the applicable requirements of 21 U.S.C. § 384, including the requirements regarding safety and cost savings.

(b) The Secretary of Human Services may adopt rules pursuant to chapter 25 of this title as needed to develop, implement, and administer the program.

Sec. E.300.7 NEXT STEPS FOR IMPLEMENTING A WHOLESALE
PRESCRIPTION DRUG IMPORTATION PROGRAM

(a) The Agency of Human Services shall consult with the National Academy for State Health Policy (NASHP) and with states pursuing or interested in pursuing a wholesale prescription drug importation program to identify opportunities to coordinate and work collaboratively in these efforts. On or before October 1, 2019, the Agency shall provide an update on its progress in obtaining federal approval for a wholesale prescription drug importation program pursuant to 18 V.S.A. § 4653, including the results of its consultations with NASHP and with other states, to the House Committees on Appropriations, on Health Care, and on Ways and Means; the Senate Committees on Appropriations, on Health and Welfare, and on Finance; and the Joint Fiscal Committee.

(b) The Board of Pharmacy in the Office of Professional Regulation, in consultation with the Agency of Human Services, shall explore whether any new prescription drug wholesaler license categories would be necessary in order to operate a wholesale prescription drug importation program in this State. On or before January 15, 2020, the Board shall provide its findings and recommendations with respect to new prescription drug wholesaler license categories to the House Committees on Government Operations and on Health Care and the Senate Committees on Government Operations and on Health and Welfare.

Sec. E.300.8 AGENCY OF HUMAN SERVICES; STRATEGIC PLAN;
REPORT

(a) The Agency of Human Services, in order to respond effectively to dynamic and changing societal needs, shall identify emerging trends and develop a strategic plan for addressing the most challenging issues the Agency anticipates Vermont will face within the next five to 10 years.

(b) The Agency of Human Services shall analyze and determine:

(1)(A) projected changes in the demographics of the State;

(B) increasing or emerging trends that affect or are likely to affect human services needs in the State, including social risks to be addressed; and

(C) anticipated demands on the budgets of the Agency and its departments;

(2) whether current targeted investments are successfully achieving their anticipated outcomes and, if not, why not;

(3) the appropriate programmatic, policy, and organizational reconfigurations necessary to achieve the Agency's strategic plan; and

(4) such other issues as the Agency determines are relevant to developing and achieving the Agency's strategic plan.

(c) The Agency may, within available resources, contract with an independent consultant to assist it in developing the strategic plan, analyses, and determinations required by this section.

(d)(1) On or before November 1, 2019, the Agency of Human Services shall provide a progress update on its strategic plan, analyses, and determinations to the Joint Fiscal Committee, the Health Reform Oversight Committee, the Joint Legislative Justice Oversight Committee, and the Government Accountability Committee.

(2) On or before January 15, 2020, the Agency of Human Services shall provide its final strategic plan, analyses, and determinations, including any recommendations for legislative action, to the House Committees on Appropriations, on Corrections and Institutions, on Government Operations, on Health Care, on Human Services, and on Judiciary and the Senate Committees on Appropriations, on Government Operations, on Health and Welfare, on Institutions, and on Judiciary.

Sec. E.300.9 REPORT TO THE JOINT FISCAL COMMITTEE ON FISCAL PRESSURES

(a) The Secretary of Human Services shall report to the Joint Fiscal Committee at its November 2019 meeting on the following fiscal issues:

(1) the most current estimate of timing related to the 12 beds being developed for State priority use at the Brattleboro Retreat and the fiscal year 2020 and 2021 funding implications. The Secretary shall estimate the additional needs for State funds and sources to provide funding the Administration is considering in the fiscal year 2021 budget presentation to the Legislature;

(2) the impact of the change in of Federal Children's Health Insurance match (CHIP) match on the fiscal year 2021 budget and what steps may be recommended to offset the loss of funds; and

(3) any other fiscal pressures due to changes in federal funds or other program-related changes in costs or caseloads.

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

(a) The Agency of Human Services shall use the funds appropriated in Sec. B.103 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 \$26,348,983 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$23,295,650 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$27,204,350 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,053,333 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to \$15,400,000 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301 – Secretary’s Office – global commitment of this act.

Sec. E.301.1 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2020, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the September 2020 meeting. The purpose of this section is to provide the Agency with limited authority to modify the appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.2 MENTAL HEALTH AND SUBSTANCE USE DISORDER
WORKFORCE

(a) The \$1,500,000 allocated to the Agency of Human Services for fiscal year 2019 pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106.1(b)(1) shall be carried forward to fiscal year 2020 and be used for loan repayment and tuition assistance to promote the recruitment and retention of high-quality providers of mental health and substance use disorder treatment services in Vermont. The funds shall be made available to individuals employed by a designated or specialized service agency in Vermont based on a three-year contractual obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in Vermont, for the following uses:

(1) loan repayment for master’s-level clinicians, bachelor’s-level direct-service staff, and nurses; and

(2) tuition assistance for individuals pursuing degrees to become master’s-level clinicians, bachelor’s-level direct-service staff, and nurses.

(b)(1) Loan repayment and tuition assistance funds shall be available to employees of designated and specialized service agencies as set forth in subsection (a) of this section for bachelor’s- and master’s-level degree

programs offered through accredited institutions of higher education, including online programs.

(2) The Agency may contract with Area Health Education Centers or the Vermont Student Assistance Corporation or both to administer these programs.

(c) The fiscal year 2020 appropriation pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106.1(b)(2) shall be reserved to be addressed in the fiscal year 2020 budget adjustment or fiscal year 2021 budget processes.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to State and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2020, but only in the event that new State or federal law or guidance require Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 33 V.S.A. chapter 19, subchapter 4 is added to read:

Subchapter 4. Coverage for Dental Services

§ 1991. DEFINITIONS

As used in this chapter:

(1) "Dental hygienist" means an individual licensed to practice as a dental hygienist under 26 V.S.A. chapter 12.

(2) "Dental services" means preventive, diagnostic, or corrective procedures related to the teeth and associated structures of the oral cavity.

(3) "Dental therapist" means an individual licensed to practice as a dental therapist under 26 V.S.A. chapter 12.

(4) "Dentist" means an individual licensed to practice dentistry under 26 V.S.A. chapter 12.

§ 1992. MEDICAID COVERAGE FOR ADULT DENTAL SERVICES

(a) Vermont Medicaid shall provide coverage for medically necessary dental services provided by a dentist, dental therapist, or dental hygienist working within the scope of the provider's license as follows:

(1) Up to two visits per calendar year for preventive services, including prophylaxis and fluoride treatment, with no co-payment. These services shall not be counted toward the annual maximum benefit amount set forth in subdivision (2) of this subsection.

(2) Diagnostic, restorative, and endodontic procedures, to a maximum of \$1,000.00 per calendar year, provided that the Department of Vermont Health Access may approve expenditures in excess of that amount when exceptional medical circumstances so require.

(3) Other dental services as determined by the Department by rule.

(b) The Department of Vermont Health Access shall develop a reimbursement structure for dental services in the Vermont Medicaid program that encourages dentists, dental therapists, and dental hygienists to provide preventive care.

Sec. E.306.2 AMENDMENT TO MEDICAID STATE PLAN

(a) If necessary, the Secretary of Human Services shall request approval from the Centers for Medicare and Medicaid Services for an amendment to Vermont's Medicaid State Plan to include the expanded Medicaid dental benefits set forth in 33 V.S.A. § 1992.

Sec. E.306.3 DENTAL ACCESS AND REIMBURSEMENT WORKING GROUP; REPORT

(a) The Department of Vermont Health Access, in consultation with the Board of Dental Examiners and the Vermont State Dental Society, shall convene a working group of interested stakeholders to:

(1) evaluate current Medicaid reimbursement rates to dentists, dental therapists, and other providers of dental services and determine the amount of fiscally responsible increases to the rates for specific services that would be needed in order to attract additional providers to participate in the Vermont Medicaid program;

(2) determine the feasibility of and costs associated with establishing a State dental assistance program to provide access to affordable dental services for Vermont residents who have lower income and are enrolled in Medicare; and

(3) explore opportunities to further expand access to dental care in Vermont, including:

(A) examining the potential to reimburse dentists, dental therapists, and dental hygienists for teledentistry services; and

(B) exploring the possible integration of dental services into the scope of services provided through accountable care organizations.

(b)(1) On or before November 1, 2019, the Department of Vermont Health Access shall provide to the House Committee on Health Care and the Senate Committee on Health and Welfare the working group's findings and recommendations regarding the feasibility and costs of creating a dental assistance program for Medicare beneficiaries as described in subdivision (a)(2) of this section and on opportunities to further expand access to dental care as described in subdivision (a)(3) of this section. The report shall also include the amount of funding that would be needed to achieve the reimbursement rates determined by the working group pursuant to subdivision (a)(1) of this section.

(2) The Department of Vermont Health Access shall report on the amount of funding necessary to achieve the reimbursement rates determined by the working group pursuant to subdivision (a)(1) of this section as part of the Department's fiscal year 2021 budget presentation.

Sec. E.308 LONG TERM CARE APPROPRIATION; TRANSFER

(a) In fiscal year 2020, the Administration is authorized to transfer the appropriation in Sec. B.308 of this act from the Department of Vermont Health Access to the Department of Disabilities, Aging, and Independent Living. This change shall be reflected in future budget recommendations.

(b) The Secretary of Human Services shall review and assess the appropriation structure for funding licensed residential care facilities and make recommendations in the Agency's fiscal year 2021 budget proposal.

Sec. E.308.1 PERSONAL NEEDS ALLOWANCE RESET

(a) The amount of the State supplement for Medicaid beneficiaries who reside in a nursing home and receive Supplemental Security Income shall increase by \$25 per person per month on January 1, 2020.

Sec. E.312 Health – public health

(a) AIDS/HIV funding:

(1) In fiscal year 2020 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) Ryan White Title II funds for AIDS services and the Vermont Medication Assistance Program (VMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by State general funds.

(3)(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2020, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2020, the Department of Health shall provide grants in the amount of \$150,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2020. Grant reporting shall include outcomes and results.

Sec. E.312.1 REPORT; PROMOTION OF IMMUNIZATION

(a) On or before July 1, 2019, the Commissioner of Health shall submit a report to the House Committee on Health Care and to the Senate Committee on Health and Welfare summarizing the Department's efforts to promote immunization in Vermont in accordance with the U.S. Centers for Disease Control and Prevention's recommendations. The report shall specifically address:

(1) existing efforts by the Department to promote immunization in Vermont, as well as the funding source and annual funding amount used for each effort;

(2) the availability of additional federal funds to enhance Vermont's efforts to promote immunizations; and

(3) the number of individuals under 18 years of age, between 2015 and 2018, who were granted exemptions from immunizations, and the type of exemptions granted.

Sec. E.312.2 DISTRIBUTION OF FENTANYL TESTING STRIPS

(a) The Department of Health, Alcohol and Drug Abuse Programs shall allocate \$50,000 of special funds appropriated in fiscal year 2020 for the distribution of fentanyl testing strips through active syringe service programs in the State. Priority should be given to syringe service programs that do not currently distribute testing strips to areas of the State with the highest overdose death rates and highest percentage of fentanyl involvement, and to pregnant and parenting women. The amount expended shall not exceed available funds. The Department shall establish participation requirements for the syringe service programs receiving strips under this pilot.

Sec. E.313 33 V.S.A. § 2004 is amended to read:

§ 2004. MANUFACTURER FEE

* * *

(b) Fees collected under this section shall fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2; statewide unused prescription drug disposal initiatives; prevention of prescription drug misuse, abuse, and diversion; the Substance Misuse Prevention Advisory Council established in 18 V.S.A. § 9803; treatment of substance use disorder; exploration of nonpharmacological approaches to pain management; a hospital

antimicrobial program for the purpose of reducing hospital-acquired infections; the purchase and distribution of fentanyl testing strips; the purchase and distribution of naloxone to emergency medical services personnel; and any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents. The fees shall be collected in the Evidence-Based Education and Advertising Fund established in section 2004a of this title.

* * *

Sec. E.313.1 33 V.S.A. § 2004a is amended to read:

§ 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND

(a) The Evidence-Based Education and Advertising Fund is established in the State Treasury as a special fund to be a source of financing for activities relating to fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; for analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; for the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; for the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2; for statewide unused prescription drug disposal initiatives; for the prevention of prescription drug misuse, abuse, and diversion; for the Substance Misuse Prevention Advisory Council established in 18 V.S.A. § 9803; for treatment of substance use disorder; for exploration of nonpharmacological approaches to pain management; for a hospital antimicrobial program for the purpose of reducing hospital-acquired infections; for the purchase and distribution of fentanyl testing strips; for the purchase and distribution of naloxone to emergency medical services personnel; and for the support of any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents. Monies deposited into the Fund shall be used for the purposes described in this section.

* * *

Sec. E.314 MENTAL HEALTH FUNDING ALLOCATIONS

(a) \$1,560,800 of the funds provided to the Department of Mental Health shall be utilized to create up to 12 supported housing arrangements for Community Rehabilitation and Treatment (CRT) individuals whose acuity and particular needs have been prohibitive to community reentry. The intent of this funding is reduced inpatient use by individuals who have limited discharge options.

(b) A total of \$5,202,688 is provided to increase rates and payments to the Designated Agencies and other specialized service providers for mental health

and developmental disability services and is intended to be allocated proportionally to the Departments of Mental Health and of Disabilities, Aging, and Independent Living. The \$2,601,344 provided to the Department of Mental Health for this purpose includes Designated Agencies and specialized service agencies.

Sec. E.314.1 SUCCESS BEYOND SIX; REVIEW

(a) The Success Beyond Six program is based on agreements between the Designated Agencies and local schools, supervisory unions, or districts. The Agency of Human Services does not play a role in funding decisions, however the overall program spending is part of the Medicaid program and impacts overall Medicaid spending and the budget neutrality cap.

(b) Given the limited room in the Global Commitment Medicaid budget neutrality cap, the Agency of Human Services (AHS), the Agency of Education (AOE), and Department of Mental Health (DMH) shall assess and determine how to evaluate Success Beyond Six program spending against other competing priorities in the Medicaid program.

(c) AHS, AOE, and DMH shall report to the General Assembly on Success Beyond Six evaluation and oversight not later than January 15, 2020. The report shall include:

(1) an inventory of existing methods for providing school-based mental health services;

(2) analysis of the trend in school-based mental health programming that is funded through the Success Beyond Six program fiscal mechanism;

(3) evaluation of the program attributes;

(4) determination, in partnership with the Designated Agencies, of metrics for evaluating program outcomes; and

(5) a proposal for how AHS, AOE, and DMH should participate in Success Beyond Six spending decisions.

Sec. E.316 REPORT ON ECONOMIC SERVICES DIVISION; SERVICE DELIVERY INNOVATION PILOTS

(a) On or before January 15, 2020, the Commissioner for Children and Families shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare summarizing any economic service delivery pilot programs implemented as a result of authority granted by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.316. The report shall summarize the components of the pilot including any rules that were

temporarily waived during the pilot and any recommendations resulting from the pilot.

Sec. E.316.1 [Deleted.]

Sec. E.317 [Deleted.]

Sec. E.318 33 V.S.A. § 3512 is amended to read:

§ 3512. CHILD CARE FINANCIAL ASSISTANCE PROGRAM;
ELIGIBILITY

(a)(1) The Child Care Financial Assistance Program is established to subsidize, to the extent that funds permit, the costs of child care for families that need child care services in order to obtain employment, to retain employment, or to obtain training leading to employment. Families seeking employment shall ~~not~~ be entitled to participate in the Program ~~for a period in excess of one month, unless that period is extended by up to three months and the Commissioner may further extend that period.~~

(2) The subsidy authorized by this subsection shall be on a sliding scale basis. The scale shall be established by the Commissioner, by rule, and shall bear a reasonable relationship to income and family size. The lower limit of the fee scale shall include families whose gross income is up to and including 100 percent of the current federal poverty guidelines. The upper income limit of the fee scale shall be neither less than 200 percent of the current federal poverty guidelines nor more than 100 percent of the State median income, adjusted for the size of the family. The scale shall be structured so that it encourages employment. If the federal poverty guidelines decrease in a given year, the Division shall maintain the previous year's federal poverty guidelines for the purpose of determining eligibility and benefit amount under this subsection.

* * *

(4) After September 30, 2021, a regulated center-based child care program or family child care home as defined by the Department in rule shall not receive funds pursuant to this subsection that are in excess of the usual and customary rate for services at the center-based child care program or family child care home.

* * *

Sec. E.318.1 CHILD CARE FINANCIAL ASSISTANCE PROGRAM

(a) In fiscal year 2020 the Department for Children and Families' Child Development Division shall adjust the sliding fee scale and reimbursement rates as follows:

(1) to ensure that families whose gross income is up to 100 percent of the current federal poverty guidelines receive 100 percent of the available benefit and that families whose gross income is between 100 and 300 percent of the current federal poverty guidelines receive between 99 and 10 percent of the available financial assistance benefit, scaling between set eligibility levels as follows:

(A) 95 percent of the available financial assistance benefit for families at 125 percent of the current federal poverty guidelines;

(B) 75 percent of the available financial assistance benefit for families at 150 percent of the current federal poverty guidelines;

(C) 50 percent of the available financial assistance benefit for families at 200 percent of the current federal poverty guidelines; and

(D) 10 percent of the available financial assistance benefit for families at 300 percent of the current federal poverty guidelines; and

(2) align rates of reimbursement for preschool and school age children participating in the Child Care Financial Assistance Program (CCFAP) in fiscal year 2020 with the market rates reported on the 2014 Vermont Market Rate Survey and maintain rates of reimbursement for infants and toddlers participating in CCFAP in fiscal year 2020 aligned with the market rates reported on the 2017 Vermont Market Rate Survey.

Sec. E.318.2 EARLY CHILD CARE AND DEVELOPMENT PROGRAM CESSATION

(a) The Early Care and Child Development Grant Program shall cease operation on June 30, 2019.

Sec. E.318.3 CHILD CARE PROVIDER STABILIZATION GRANTS

(a) Of the funds provided in fiscal year 2020 in Sec. B.318, \$1,000,000 is allocated for the dual purposes of:

(1) enhancing supports to child care and early learning programs that maintain the enrollment of children receiving support through the Child Care Financial Assistance Program (CCFAP) at a level of at least 50 percent of total enrollment; and

(2) expanding infant and toddler child care capacity.

(b) The Division shall award grants to eligible applicants. An eligible applicant shall:

(1) be a new or existing regulated, privately operated center-based child care program or family child care home in good regulatory standing;

- (2) participate in CCFAP;
 - (3) provide year-round, full-day child care and early learning services;
 - (4) provide child care and early learning services for infants and toddlers; and
 - (5) participate in the STep Ahead Recognition System (STARS).
- (c) Center-based child care programs or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. E.318.4 BRIGHT FUTURES INFORMATION SYSTEM;
MODERNIZATION PLAN

(a) The \$1,000,000 one-time funding provided in Sec. C100(a)(17) of this act is for the purpose of developing and implementing a modernization plan for the Bright Futures Information System; of which \$100,000 shall be designated for developing the modernization plan and the remainder shall be designated for implementing the plan.

(b) On or before December 1, 2019, the Commissioner shall submit a report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare providing:

- (1) an initial project plan and timeline;
- (2) a fiscal analysis of the plan; and
- (3) the project team tasked with overseeing the project's implementation.

Sec. E.318.5 CHILD CARE WORKFORCE; GRANTS INCENTIVIZING
PROFESSIONAL COMMITMENT AND CONTINUING
EDUCATION

(a)(1) The \$300,000 of funding provided in Sec. C.100(a)(18)(B) is to fund incentive grants for eligible individuals employed in a regulated privately operated center-based child care program or family child care home. The incentive grants shall be used to either foster job retention through hiring or retention bonuses or fund tuition assistance for continuing education. The program shall provide grants for tuition assistance, hiring or retention awards for eligible individuals employed in regulated, privately operated center-based child care programs and family child care homes.

- (2) An eligible individual shall:

(A) commit to three years of employment in a privately operated center-based child care program or family child care home that is regulated by the Division for at least an average of 30 hours per week for 48 weeks of the year;

(B) receive an annual salary of not more than \$40,000; and

(C) have previously completed, or be enrolled in, courses leading to credits in early childhood development or that are related directly to working with children birth through eight years of age.

(b)(1) The Division shall administer the incentive grants set forth in this section or contract for their administration. It shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

(2) Incentive grants shall be available pursuant to this section on a first-come, first-served basis until appropriated funds are depleted.

Sec. E.318.6 TECHNICAL CENTER; CHILD DEVELOPMENT
ASSOCIATE CREDENTIAL

(a) The \$300,000 of funding provided in Sec. C. 100(a)(18)(A) is to facilitate the implementation of the Council for Professional Regulation's Child Development Associate Credential curriculum in technical centers throughout the State.

(b) Any funds unused in subsection (a) of this section shall be reserved to fund stipends or paid internship opportunities for students who have completed, or are in the process of completing, the Child Development Associate Credential at a Vermont technical center or for the Division to develop a paid internship program for such students or both.

Sec. E.318.7 REPORT; EVALUATION OF EXPENDITURES AND
PROGRAMS

(a) On or before January 1, 2024, the Commissioner for Children and Families, in consultation with stakeholders, shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare:

(1) evaluating the effectiveness of the expenditures resulting from the Child Care Financial Assistance Program rate and subsidy changes enacted for fiscal year 2020 as set forth in Sec. E.318.1 of this act, the incentive grants set forth in Sec. E.318.5 of this act, and the stipend or paid internship opportunities for individuals completing the Child Development Associate Credential at a Vermont technical center set forth in Sec. E.318.6 of this act;

(2) making recommendations as to whether the programs and expenditures set forth in Secs. E.318.1, E.318.5, and E.318.6 should continue; and

(3) evaluating how the programs and expenditures set forth in Secs. E.318.1, E.318.5, and E.318.6 contribute to Vermont's children and young people reaching their potential pursuant to 3 V.S.A. § 2311.

Sec. E.318.8 EDUCATIONAL AND EXPERIENTIAL VARIANCE

(a) For individuals operating or employed in a registered family child care home or as a director or teacher associate in a center-based program for 10 or more years prior to September 1, 2016, the Commissioner for Children and Families or designee may issue a variance to the Child Development Division's rule regarding educational and experiential requirements to allow an individual to maintain employment in that same role regardless of whether the family child care provider, family child care assistant, director, or teacher associate intends to attain the otherwise necessary educational requirements. To be eligible for a variance, the family child care provider, family child care assistant, director, or teacher associate shall:

(1) work continuously in a regulated program with a full license in good standing; and

(2) meet the Division's educational and experiential requirements in place prior to the adoption of the new rule, which was effective beginning on September 1, 2016.

(b) The Commissioner or designee shall review any violation occurring in a regulated program where a family child care provider, family child care assistant, director, or teacher associate is under variance and may revoke the variance granted by this section depending upon the seriousness and circumstances of the violation.

(c) Any variance granted under this section shall be terminated on July 1, 2024, and extensions shall not be granted beyond that date.

Sec. E.321 GENERAL ASSISTANCE HOUSING

(a) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2020 may be used for temporary housing in catastrophic situations and for vulnerable populations, as defined in rules adopted by the Agency. The Commissioner for Children and Families may, by policy, provide temporary housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

Sec. E.321.1 HOUSING ASSISTANCE BENEFITS; FLEXIBILITY
PROGRAM; COMMUNITY BASED ALTERNATIVES
TO GENERAL ASSISTANCE TEMPORARY HOUSING

(a) For fiscal year 2020, the Agency of Human Services may continue to fund housing assistance programs within the General Assistance program to create flexibility to provide General Assistance benefits, as well as grants to support the establishment of community-based alternatives for temporary housing as part of the effort to reduce the number of individuals temporarily housed by the General Assistance program. The purpose of these housing assistance programs and community-based alternatives is to mitigate poverty and serve applicants more effectively than they are currently being served with General Assistance funds. Eligible activities shall include, among other things, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The Agency may award grants to homeless and housing service providers for eligible activities. Where such housing assistance programs and grants are provided, and community-based programs are established, the General Assistance rules shall not apply. The assistance provided under this section is not an entitlement and may be discontinued when the appropriation has been fully spent.

(b) The housing assistance and community-based programs may operate in up to 12 districts designated by the Secretary of Human Services. The Agency shall establish goals and procedures for evaluating the program overall, including performance measures that demonstrate program results, and for each district in which the Agency operates the program, it shall establish procedures for evaluating the district program and its effects.

(c) The Agency shall continue to engage interested parties, including both statewide organizations and local agencies, in the design, implementation, and evaluation of housing assistance programs and community-based alternatives to General Assistance temporary housing.

Sec. E.323 REACH UP CASE MANAGEMENT REVIEW AND
COMMUNITY ENGAGEMENT

(a) On or before October 2019, the Secretary of Human Services shall report to Joint Legislative Child Protection Oversight Committee and make recommendations on how Reach Up Case Management services can be more effectively directed to strengthen families and promote parental responsibilities. This report shall:

(1) outline the current components of the statutorily required Individualized Family Development Plan;

(2) identify what modifications are required to ensure a comprehensive assessment of the family's strengths and service needs is completed so that the family's individualized plan adequately addresses the nurturing and care of the children;

(3) review how families at risk of involvement in the child welfare system are identified and protocols for providing the preventive and upstream services to so that children can remain safely at home; and

(4) examine current practices of serving Reach Up families such as home visiting and referrals to enhance parental care and family stability.

(b) It is legislative intent that, within the Department for Children and Families, Reach Up case management engage with community-based service providers, including parent child centers, in a manner consistent with the principles referenced in 1994 Acts and Resolves No. 106.

Sec. E.323.1 33 V.S.A. § 1103 is amended to read:

§ 1103. ELIGIBILITY AND BENEFIT LEVELS

* * *

(c) The Commissioner shall adopt rules for the determination of eligibility for the Reach Up program and benefit levels for all participating families that include the following provisions:

* * *

(9) The amount of ~~\$115.00~~ \$77.00 of the Supplemental Security Income payment received by a parent excluding payments received on behalf of a child shall count toward the determination of the amount of the family's financial assistance grant.

* * *

Sec. E.323.2 33 V.S.A. § 1101 is amended to read:

§ 1101. DEFINITIONS

* * *

(15) "Parent" means ~~a biological parent, stepparent, adoptive parent, or pregnant individual;~~

(A) the same as in 15C V.S.A. § 102(16);

(B) stepparents; and

(C) pregnant individuals.

* * *

Sec. E.323.3 VACANT REACH UP CASE MANAGER POSITIONS

(a) In the event that any Reach Up Case Manager positions are vacant at the start of fiscal year 2020 or become vacant during fiscal year 2020, up to two of them may be transferred from the Economic Services Division, along with the funds budgeted to support them, to the Family Services Division and reclassified as determined by the Family Services Division.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it, if the benefit cannot be executed in time to prevent them from running out of fuel. The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

Sec. E.325 Department for children and families – office of economic opportunity

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$1,092,000 shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Grant decisions shall be made with assistance from the Vermont Coalition to End Homelessness.

Sec. E.326 Department for children and families – OEO – weatherization assistance

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.326.1 [Deleted.]

Sec. E.326.2 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

(a) The Director of the State Office of Economic Opportunity shall administer the Home Weatherization Assistance Program under such rules, regulations, funding, and funding requirements as may be imposed by federal law.

(b) In addition, the Director shall supplement, or supplant, any federal program with the State Home Weatherization Assistance Program.

(1) The State program shall provide an enhanced weatherization assistance amount exceeding the federal per unit limit allowing amounts up to an average of ~~\$8,000.00~~ \$8,500.00 per unit allocated on a cost-effective basis. The allowable average per unit may be adjusted to account for the lower cost per unit of multifamily buildings. In units where costs exceed the allowable average by more than 25 percent, prior approval of the Director of the State Economic Opportunity Office shall be required before work commences. This amount shall be adjusted annually by increasing the last year's amount by the percentage increase in the Consumer Price Index for the previous year.

* * *

Sec. E.327 WOODSIDE JUVENILE REHABILITATION CENTER;
REPORT

(a) The Secretary of Human Services shall develop an alternative proposal for long-term secure beds for delinquent youth. The proposal shall take into account the report required pursuant to 2018 Acts and Resolves No. 201, Sec. 12 and how therapeutic needs can be met.

(b) On or before January 15, 2020, the Secretary of Human Services shall submit a copy of the proposal to the House Committees on Appropriations, on Corrections and Institutions, on Human Services, and on Judiciary, and the Senate Committees on Appropriations, on Health and Welfare, on Institutions, and on Judiciary.

Sec. E.329 TRANSFER OF NURSING HOME LICENSED BEDS;
REVIEW PROCESS

(a) The Secretary of Human Services shall develop a process for reviewing and approving the transfer of licensed beds from one nursing home to another nursing home, provided the transfer does not result in an increase in the total number of licensed nursing home beds in the State.

Sec. E.329.1 18 V.S.A. § 9434 is amended to read:

§ 9434. CERTIFICATE OF NEED; GENERAL RULES

(a) A health care facility other than a hospital shall not develop or have developed on its behalf a new health care project without issuance of a certificate of need by the Board. For purposes of this subsection, a "new health care project" includes the following:

* * *

(2)(A) A change from one licensing period to the next in the number of licensed beds of a health care facility through addition or conversion, or through relocation from one physical facility or site to another.

(B) Notwithstanding subdivision (A) of this subdivision (2), the transfer of licensed beds from one nursing home to another nursing home shall not be considered a new health care project for purposes of this subchapter if the transfer would not result in an increase in the total number of licensed nursing home beds in this State.

* * *

Sec. E.329.2 18 V.S.A. § 9434 is amended to read:

§ 9434. CERTIFICATE OF NEED; GENERAL RULES

(a) A health care facility other than a hospital shall not develop or have developed on its behalf a new health care project without issuance of a certificate of need by the Board. For purposes of this subsection, a “new health care project” includes the following:

* * *

(2)(A) A change from one licensing period to the next in the number of licensed beds of a health care facility through addition or conversion, or through relocation from one physical facility or site to another.

~~(B) Notwithstanding subdivision (A) of this subdivision (2), the transfer of licensed beds from one nursing home to another nursing home shall not be considered a new health care project for purposes of this subchapter if the transfer would not result in an increase in the total number of licensed nursing home beds in this State.~~

* * *

Sec. E.333 DEVELOPMENTAL DISABILITIES SERVICE PAYMENT
REFORM UPDATE

(a) The Agency of Human Services shall submit an update to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare Committee on the progress made on developmental disability service delivery and payment reform model on or before January 15, 2020. The update shall provide information on the decisions made to date on the proposed model for developmental disabilities payment and service delivery reform and shall include information on:

(1) anticipated costs to both providers and the State of any potential changes and any identified funding strategies;

- (2) the plan to use a standardized assessment tool;
- (3) how the proposed model addresses individualized services and community inclusion;
- (4) stakeholder engagement, including how their feedback was incorporated into the plan;
- (5) a description of how the model works in relation to payment and sustainability of the system and its workforce;
- (6) how the model covers the costs of high-needs individuals;
- (7) the continuation of person-centered care planning and services;
- (8) maintaining choice of provider, service management, and service options; and
- (9) how it will hold providers accountable for service expenditures and individual recipient outcomes.

Sec. E.333.1 DEVELOPMENTAL DISABILITIES FUNDING ALLOCATION

(a) A total of \$5,202,688 is provided to increase rates and payments to the Designated Agencies and other specialized service providers for mental health and developmental disability services and is intended to be allocated proportionally to the Departments of Mental Health and of Disabilities, Aging, and Independent Living. \$2,601,344 provided to the Department of Disabilities, Aging and Independent Living for this purpose includes the specialized service agencies.

Sec. E.335 CORRECTIONS APPROPRIATIONS; TRANSFER; REPORT

(a) In fiscal year 2020, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services and for correctional services out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

Sec. E.335.1 JUSTICE REINVESTMENT ALLOCATIONS

(a) In fiscal year 2020 and each fiscal year thereafter, the Department of Corrections shall redirect any budgetary savings in contracted services or caseload reductions in any area of corrections services and out-of-state bed need to the following justice reinvestment priorities:

(1) court diversion, community justice programs, and nonincarcerative treatment options for those suffering from either mental health or addiction problems;

(2) community organizations that develop transitional or long-term housing for offenders reentering the community; and

(3) programs operated by the Department or partner organizations serving reentering offenders regarding employment, reliable transportation, education or vocational training, substance use disorder recovery, peer support, and housing.

Sec. E.335.2 COMMUNITY WORK CREW PROGRAM RESTRUCTURE

(a) On or before October 15, 2019, the Department of Corrections shall report to the Joint Legislative Justice Oversight Committee regarding whether the Department should contract with local community justice programs to oversee the work crew sentence requirements of any individual with work crew obligations under the Department's supervision. The report shall consider the cost and public safety implications, as well as any anticipated effect on recidivism rates, of any such contractual approach to work crew supervision.

Sec. E.338 Corrections - correctional services

(a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation of \$152,000 for the supplemental facility payments to Newport and Springfield shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.338.1 [Deleted.]

Sec. E.338.2 28 V.S.A. § 801b is amended to read:

§ 801b. MEDICATION-ASSISTED TREATMENT IN CORRECTIONAL FACILITIES

* * *

(e) ~~Any counseling~~ Counseling or behavioral therapies shall be provided in conjunction with the use of medication for medication-assisted treatment shall be medically necessary. as provided for in the Department of Health's "Rule Governing Medication-Assisted Therapy for Opioid Dependence for: (1) Office-Based Opioid Treatment Providers Prescribing Buprenorphine; and (2) Opioid Treatment Providers."

Sec. E.338.3 CORRECTIONS HEALTH CARE; REPORT

(a) On or before November 15, 2019, the Department of Corrections shall provide an interim report to the Joint Legislative Justice Oversight Committee regarding the Department's Peer Review of the medication-assisted treatment policy, procedure, and clinical guidelines.

Sec. E.338.4 2014 Acts and Resolves No. 131, Sec. 135, as amended by 2015 Acts and Resolves No. 4, Sec. 71 and 2017 Acts and Resolves No. 85, Sec. E.338.2 and 2018 Acts and Resolves No.87, Sec. 51, is further amended to read:

Sec. 135. ~~EFFECTIVE DATES~~

~~This act shall take effect on passage, except that Secs. 118a and 118b (amending 18 V.S.A. § 4808 and adding 18 V.S.A. § 4809) shall take effect on July 1, 2021. [Repealed.]~~

Sec. E.342 20 V.S.A. § 1716 is amended to read:

§ 1716. CHIEF EXECUTIVE OFFICER

* * *

~~(11) Report annually on or before July 1 to the Secretary of Administration and the Senate Committee on Appropriations on the number of employees who work at the Vermont Veterans' Home for 16 hours or fewer per week. [Repealed.]~~

Sec. E.342.1 VERMONT VETERANS' HOME SAFETY AND ACCESS
CONTROL UPGRADES

(a) The Vermont Veterans' Home is authorized to use \$918,750 as 35 percent State match for its VA grant to address safety and access control. An additional \$140,049 shall be reserved for further use with the approval of the General Assembly.

Sec. E.342.2 VERMONT VETERANS' HOME; PHARMACY SAVINGS

(a) The Administrator of the Vermont Veterans' Home shall coordinate with the staff of Vermont's U.S. Senate delegation who have expertise relevant to the prescription drug supply system of the U.S. Veterans' Administration (VA). The Administrator shall determine the feasibility of reducing the cost of prescription medications provided by the VA and report findings, recommendations, and actions to the House and Senate Committees on Appropriations on or before January 15, 2020. A guiding principle when developing recommendations shall be patient safety and the reduction of medication error rates.

* * * LABOR * * *

Sec. E.400 LABOR PROGRAMS

(a) \$1,335,900 of the General Funds appropriated in Sec. B.400 of this act are workforce education and training funds formerly allocated through the Next Generation Fund. Up to 10 percent of these funds may be allocated for administration and the remaining funds are allocated in fiscal year 2020 as follows:

(1) \$350,000 for infrastructure and grants for internships through the Vermont Internship Program pursuant to 10 V.S.A. § 544.

(2) \$400,000 for Adult Career Technical Education Programs for the purpose of awarding grants to regional technical centers and high schools to provide adult career technical education as the term is defined in 16 V.S.A. § 1522. Each of the seventeen (17) regional Career Technical Education (CTE) Centers that provides Adult CTE programs shall be awarded a base grant of \$20,000. These grants may be used to support adult program staff or instructor salaries, scholarships for eligible adult CTE students, or curriculum development for adult CTE courses. The remaining \$60,000 is to support the coordination and organization of the State's regional adult career technical education programs.

(3) \$100,000 to support the Vermont Returnship Program pursuant to 10 V.S.A. § 545. The Department of Labor may award a performance grant to assist in the coordination, outreach, and implementation of the Program.

(4) \$75,000 to support workforce education and training activities for Vermont inmates in the State's correctional facilities that are consistent with their reentry plan. The Department may fund these activities in coordination with the Department of Corrections, a local restorative justice center, a regional Career Technical Education Center, or other qualified training provider. Training opportunities funded with this allocation will be aligned with an identified employment need, and when possible, should result in an industry-recognized credential.

(5) \$277,310 to support of demand-driven trainings or programs aimed at meeting employment needs throughout the State. High-priority sectors include health care, construction, manufacturing, transportation, hospitality, and business services. Grants may be awarded to training providers, businesses, or service providers who help out-of-school youth, veterans, dislocated workers, mature workers, individuals in recovery, or geographically isolated job seekers to overcome barriers to employment.

Sec. E.400.1 VERMONT YOUTH EMPLOYMENT PROGRAM

(a) On or before September 1, 2019, the Department of Labor shall design and begin implementation of the Vermont Youth Employment Program, the purpose of which shall be to provide paid work experiences and paid or unpaid internships for Vermont youth with individualized preemployment, academic, occupational, and technical skill development supports available as needed. In coordination with existing federal youth education, training, and employment programs, the Vermont Youth Employment Program shall include:

(1) a summer youth employment program for individuals 15–24 years of age; and

(2) a nonseasonal youth employment program for out-of-school youth as defined in 20 CRF § 681.210 or individuals 18-24 years of age who are not pursuing a post-secondary degree or credential.

(b) The Department shall implement the Program using funds from the State's Workforce Innovation and Opportunity Act grant from the U.S. Department of Labor, and other State and federal sources, to the extent allowed under applicable law.

(c) The Department shall design the Program to serve approximately 150 individual Vermonters annually, and it shall be designed to support opportunities that are easily replicable throughout the State if the program is expanded in future years.

(d) Of the General Funds appropriated to the Department of Labor, \$150,000 is allocated to support the program and may be used for program administration, wages for non-WIOA eligible youth, academic or skill instruction, participant transportation, or other non-federally fundable expenses.

(e) The Department shall collect the following information and make it available to the General Assembly upon request:

(1) the number of youth enrolled and that have completed the program;

(2) the age and town of residence of youth at the time of enrollment;

(3) the number and types of certificates or credentials granted to participants;

(4) employment or post-secondary enrollment outcomes of participants in the second and fourth quarter of the year after enrollment;

(5) the total allocation of funding from federal, State, private, and philanthropic sources that is used to support the program; and

(6) any identified barriers that impede the success of the program either at the program or individual participant level.

* * * K-12 EDUCATION * * *

Sec. E.500 32 V.S.A. § 6075a is amended to read:

§ 6075a. ~~EDUCATION FINANCIAL SYSTEMS FUND~~

~~There is created a special fund to be called the “Education Financial Systems Fund.” The purpose of the Fund is to provide for implementation of a uniform chart of accounts by the Agency of Education as provided in 2014 Acts and Resolves No. 179, Secs. E.500.2 and E.500.3, and Sec. E.500.1 as amended by 2015 Acts and Resolves No. 58, Sec. E.500.1. [Repealed.]~~

Sec. E.500.1 16 V.S.A. § 4025 is amended to read:

§ 4025. EDUCATION FUND

* * *

(b) Monies in the Education Fund may be used for the following:

* * *

(5) To make payments for contracted services to support statewide administrative education systems, including the costs of the statewide school finance and financial management data system to complete the reporting required by subdivision 242(4) of this title and pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1.

* * *

Sec. E.500.2 EDUCATION FINANCIAL SYSTEMS FUND BALANCE
TRANSFER

(a) Notwithstanding any other provision of law, on July 1, 2019, any unencumbered balance in the Education Financial Systems Fund, established by 32 V.S.A. § 6075a, fund number 21244, shall be transferred to the Education Fund.

Sec. E.500.3 Education – finance and administration

(a) The Global Commitment funds appropriated in this section will be used for physician claims for determining medical necessity of Individualized Education Program (IEPs). It is the goal of these services to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.500.4 EDUCATION FINANCIAL SYSTEMS FUND BALANCE
TRANSFER USE

(a) \$600,000 of the unencumbered balance transferred to the Education Fund from the Education Financial Systems Fund by Sec. E.500.2 of this act shall be used for additional support to provide contractor assistance and on-site trainings.

Sec. E.500.5 2018 Acts and Resolves No. 11 (Sp. Sess.), Sec. E.500.1 is amended to read:

Sec. E.500.1 UNIFORM CHART OF ACCOUNTS SCHOOL FINANCE
AND FINANCIAL DATA MANAGEMENT SYSTEM

(a) Not later than July 1, ~~2020~~ 2022, all Vermont supervisory unions, supervisory districts, school districts, and independent tech center districts shall utilize the same school finance and financial data management system. The system shall be selected by the Agency of Education per State procurement guidelines.

* * *

~~(c) Notwithstanding subsection (a) of this section, supervisory unions with districts that are merging into a new governance structure as of July 1, 2018 and that have executed a contract on or before May 1, 2018 to acquire a new school finance and financial data system other than the management system selected by the Agency of Education to serve the merged system may delay adoption of the system selected by the Agency until July 1, 2021. [Repealed.]~~

~~(d) Notwithstanding subsection (a) of this section, a supervisory union or a supervisory district that entered into a contract for a school finance and financial data management system on or after July 1, 2017, may delay adoption of the system selected by the Agency until July 1, 2021 or upon expiration of the current contract, whichever is earlier. [Repealed.]~~

Sec. E.501 Education – education services

(a) \$75,000 of the funds appropriated in Sec. B.501 of this act shall increase State match payments to schools participating in the national school lunch program to increase the purchase of locally produced foods.

Sec. E.501.1 BUILDING SAFE AND HEALTHY ENVIRONMENTS FOR
STUDENTS

(a) Notwithstanding any other provision of law, \$60,000 from the General Fund to the Agency of Education shall be used for a pass-through grant to Outright Vermont to provide funding for training and support of building safe, supportive, and healthy environments for all students.

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

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,764,490 shall be used by the Agency of Education in fiscal year 2020 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.502.1 2018 Acts and Resolves No. 173, Sec. 16 is amended to read:

Sec. 16. RULEMAKING

The Agency of Education shall recommend to the State Board proposed rules that are necessary to implement this act and, on or before ~~November August~~ 1, ~~2019~~ 2020, the State Board of Education shall ~~adopt~~ initiate rules that are necessary to implement this act. The State Board and the Agency of Education shall consult with the Census-based Funding Advisory Group established under Sec. 9 of this act in developing the State Board rules. The State Board rules shall include rules that establish processes for reporting, monitoring, and evaluation designed to ensure:

(1) the achievement of the goal under this act of enhancing the effectiveness, availability, and equity of services provided to all students who require additional support in Vermont's school districts; and

(2) that supervisory unions are complying with the Individuals with Disabilities Education Act, 20 U.S.C. chapter 33.

Sec. E.502.2 2018 Acts and Resolves No. 173, Sec. 23 is amended to read:

Sec. 23. EFFECTIVE DATES

* * *

(b) Sec. 5 (16 V.S.A. chapter 101) shall take effect on July 1, ~~2020~~ 2021.

* * *

Sec. E.503 Education – state-placed students

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

(b) Education services provided to long-term residents at Woodside Juvenile Rehabilitation Center shall be eligible for reimbursement.

Sec. E.504.1 [Deleted.]

Sec. E.504.2 Education – flexible pathways

(a) Of this appropriation, \$3,026,500 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c). Notwithstanding 16 V.S.A. § 4025(b), of this Education Fund appropriation, the amount of:

(1) \$850,000 is available for dual enrollment programs and the amount of \$42,500 is available for need-based stipends pursuant to Sec. E.605.2(a) of this act;

(2) \$100,000 is available to support the Vermont Virtual Learning Cooperative at the River Valley Technical Center School District;

(3) \$200,000 is available for secondary school reform grants; and

(4) \$450,000 is available for the Vermont Academy of Science and Technology and \$2,148,000 for Early College pursuant to 16 V.S.A. § 946.

(b) Of this appropriation, \$850,000 from general funds is available for dual enrollment programs and the amount of \$42,500 from the General Fund is available for need-based stipends pursuant to Sec. E.605.2(a) of this act.

Sec. E.505 INTERSTATE SCHOOL DISTRICT

(a) Notwithstanding any other provision of law, \$25,000 of the funds appropriated in Sec. B.505 of this act shall be granted to the Stamford school district for continued study of the formation of an interstate school district that would combine the Stamford school district with the Clarksburg, Massachusetts school district.

Sec. E.507 SMALL SCHOOLS GRANTS; PRESERVING ELIGIBILITY;
PROHIBITING DUPLICATE GRANTS

(a) Notwithstanding the provisions of 16 V.S.A. § 4015 to the contrary, a district shall be eligible for a small schools grant under that section if:

(1) two or more school districts voluntarily merged to form a unified union school district that will become operational on July 1, 2019;

(2) one or more of these merging school districts was an “eligible school district” as defined in 16 V.S.A. § 4015, as in effect on June 30, 2019, that received a small schools support grant under that section in fiscal year 2019; and

(3) the unified union school district is not eligible for incentives under 2010 Acts and Resolves No. 153, 2012 Acts and Resolves No. 156, or 2015 Acts and Resolves No. 46, each as amended.

(b) In determining whether a school district is an eligible school district under 16 V.S.A. § 4015(a)(1)(B)(ii)(III), under which the State Board considers a school's student-to-staff ratio in assessing its operational efficiency, the State Board shall not count a person who works in a school as a member of that school's staff if:

(1) the person is employed by the supervisory union for the school district or by another member school district;

(2) the member school districts of the supervisory union have a reciprocity agreement under which they allow resident students of one member school district to attend a school in another member school district;

(3) a student who is a resident of a member school district attends the school in another member school district under the reciprocity agreement for the purpose of receiving special education services; and

(4) the person is working in the school in the other member school district to support the student receiving special education services.

(c) A union school district that receives a merger support grant pursuant to 2010 Acts and Resolves No. 153, 2012 Acts and Resolves No. 156, or 2015 Acts and Resolves No. 46, each as amended, shall not be eligible also to receive a small schools grant under this section; provided, however, that if a union school district that received a merger support grant is enlarged to include a district that received a small school grant in fiscal year 2019 (the "new member") and the operational date of the union district as enlarged by the new member is July 1, 2019, then the union school district may apply for a small school grant pursuant to the provisions of 16 V.S.A. § 4015 in connection with any school located within the new member.

Sec. E.514 State teachers' retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$126,197,389 of which \$120,247,389 shall be the State's contribution and \$5,950,000 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$7,116,765 is the "normal contribution," and \$119,080,624 is the "accrued liability contribution."

Sec. E.515 Retired teachers' health care and medical benefits

(a) In accordance with 16 V.S.A. § 1944b(b)(2), \$31,067,652 will be contributed to the Retired Teachers' Health and Medical Benefits Fund.

Sec. E.515.1 PREFUNDING OF THE RETIRED TEACHERS' HEALTH
CARE AND MEDICAL BENEFITS FUND

(a) Of the amount appropriated in Sec. B.515 of this act, \$2,400,000 is intended to prefund the Retired Teachers' Health and Medical Benefits Fund at the earliest possible date.

* * * HIGHER EDUCATION * * *

Sec. E.600 University of Vermont

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

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

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

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

Sec. E.602 Vermont state colleges

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

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

Sec. E.602.1 VERMONT STATE COLLEGES TUITION

(a) Of the amount appropriated in Sec. B.602 of this act, \$2,500,000 is intended to mitigate tuition increases for one year.

Sec. E.603 Vermont state colleges – allied health

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

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs which graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons, or both.

Sec. E.603.1 UNIVERSITY OF VERMONT AND VERMONT STATE
COLLEGES SYSTEM EFFICIENCIES AND IMPROVED
RETENTION AND GRADUATION RATES

(a) The University of Vermont (UVM) and the Vermont State Colleges System (VSCS) shall:

(1) collaborate to identify cost efficiencies that would benefit both institutions. Such efficiencies may include costs related to employee health care benefits, purchasing, and the processing of accounts payable, accounts receivable, and payroll; and

(2) collaborate to implement strategies to increase retention and graduation rates at the University of Vermont and each of the colleges in the VSCS.

(b) UVM and the VSCS shall submit an interim report to the Senate and House Committees on Appropriations and the Senate and House Committees on Education on or before October 15, 2019. This report shall include:

(1) preliminary recommendations for efficiencies that should be pursued;

(2) the estimated amount of annual savings;

(3) any one-time funds needed to implement the efficiencies;

(4) any further efficiencies that should be explored; and

(5) preliminary recommendations regarding strategies to increase retention and graduation rates.

(c) If the interim report is not submitted or when submitted does not include any recommendations pursuant to subdivisions (b)(1) and (b)(5) of this section, a new working group shall immediately be created as defined in Sec. E.603.2 of this act.

Sec. E.603.2 UVM AND VSCS EFFICIENCIES AND IMPROVED
RETENTION AND GRADUATION RATES
WORKING GROUP

(a) In the event that the provisions of Sec. E.603.1 of this act do not occur there shall be established a UVM and VSCS Efficiencies and Improved Retention and Graduation Rates Working Group as follows:

(b) Membership. The Working Group shall consist of seven members as follows:

(1) two members of the Senate, one each from the Committees on Appropriations and Education, appointed by the Committee on Committees;

(2) two members of the House, one each from the Committees on Appropriations and Education, appointed by the Speaker of the House;

(3) the Commissioner of Finance and Management or designee;

(4) one person representing the University of Vermont, selected by the President of the University; and

(5) one person representing the Vermont State Colleges System, selected by the Chancellor.

(c) Meetings. The Working Group may meet up to four times. For attending a meeting of the Working Group when he or she is not receiving compensation as a member of the General Assembly, a member of the Working Group who is a member of the General Assembly shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of standing committees under 2 V.S.A. § 406.

(d) Report. The Working Group shall submit a report to the Senate and House Committees on Appropriations and the Senate and House Committees on Education on or before December 15, 2019. This report shall include:

(1) recommendations for efficiencies that should be pursued;

(2) the estimated amount of annual savings;

(3) any one-time funds needed to implement the efficiencies;

(4) any further efficiencies that should be explored; and

(5) recommendations regarding strategies to increase retention and graduation rates.

Sec. E.605 Vermont student assistance corporation

(a) Of this appropriation, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation to be deposited into the Trust

Fund established in 16 V.S.A. § 2845.

(b) Of this appropriation, not more than \$200,000 may be used by the Vermont Student Assistance Corporation for a student aspirational pilot initiative to serve one or more high schools.

(c) Of the appropriated amount remaining after accounting for subsections (a) and (b) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

Sec. E.605.1 [Deleted.]

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

(a) The sum of \$85,000 shall be transferred to the Vermont Student Assistance Corporation (VSAC) from Sec. E.504.2(a)(1) and (b) of this act (flexible pathways funds appropriated for need-based stipend purposes) to fund a flat-rate, need-based stipend or voucher program for financially needy students enrolled in a dual enrollment course pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. VSAC shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2020.

* * * NATURAL RESOURCES * * *

Sec. E.700 24 V.S.A. § 4752 is amended to read:

§ 4752. DEFINITIONS

As used in this chapter:

* * *

(20) “Hardship municipality” means a municipality served by a municipally owned public community water system that:

(A) has a residential population of 250 or less;

(B) has an annual household user cost that exceeds \$1,000.00 or 1.5 percent of the median household income after construction of the water supply improvements project as determined by the Secretary; and

(C) requires improvements to address an imminent public health hazard or a substantial threat to public health as determined by the Secretary.

Sec. E.700.1 24 V.S.A. § 4769 is added to read:

§ 4769. LOANS TO HARDSHIP MUNICIPALITIES

(a) Waiver of bond vote. A hardship municipality may receive a loan for an eligible project that includes a loan subsidy of up to \$200,000.00 in the form of 100 percent principal forgiveness with no interest or administrative fee from funds authorized in 24 V.S.A § 4753(a)(3), subject to the availability of such loan subsidy. Notwithstanding the provisions of subdivision 4755(a)(3) of this title, the loan is not required to be evidenced by a municipal bond up to the amount to be forgiven.

(b) Waiver of reimbursement method required in statute. Notwithstanding the provisions of subsection 4755(b) of this title, loan funds may be disbursed to a hardship municipality for its approved project upon receipt by the Department of eligible project invoices without prior payment by the municipality.

Sec. E.700.2 LOANS TO HARDSHIP MUNICIPALITIES; REPORT

(a) For loans to hardship municipalities described in Sec. E.700.1 of this act, on or before January 15, 2020, the Secretary of Natural Resources shall submit a report to the Senate Committees on Institutions and on Appropriations and to the House Committees on Corrections and Institutions and on Appropriations with the projected demand, municipal eligibility, long-term impact on availability of loan subsidy for other purposes, and a recommendation on options for prioritizing projects.

(b) The State shall work with any hardship municipality that receives a loan under 24 V.S.A. § 4769 to develop a State approved asset management plan that includes a capital improvement plan.

Sec. E.702 WATER QUALITY TREATMENT AND TESTING:
SALISBURY FISH HATCHERY

(a) The Department of Fish and Wildlife and the Department of Environmental Conservation shall review the water quality treatment and testing currently implemented at the Salisbury fish hatchery. On or before January 15, 2022, the Department of Environmental Conservation and the Department of Fish and Wildlife, where appropriate, shall modify the water quality treatment and testing requirements at the hatchery in order to bring the hatchery into compliance with the Vermont water quality standards. The review conducted by the Department of Fish and Wildlife and the Department of Environmental Conservation shall include evaluation of:

- (1) modifications to the discharge point of compliance at the hatchery;
- (2) rate of discharge from the hatchery;

- (3) the placement of the discharge output for the hatchery;
- (4) potential discharge treatment systems designed to bring the hatchery into compliance with the Vermont water quality standards; and
- (5) an evaluation of the appropriate monitoring and sampling protocols of the receiving State waters.

(b) Beginning on January 15, 2020, and annually thereafter until January 15, 2023, the Department of Fish and Wildlife, after consultation with the Department of Environmental Conservation, shall report to the House Committees on Natural Resources, Fish, and Wildlife, on Corrections and Institutions, on Appropriations, and on Ways and Means and the Senate Committees on Natural Resources and Energy, on Institutions, on Finance, and on Appropriations regarding implementation of the modifications resulting from the review required under subsection (a) of this section.

Sec. E.711 ENVIRONMENTAL CONTINGENCY FUND; BENNINGTON
WATER LINE EXTENSION

(a) In fiscal year 2019, there is transferred \$2,500,000 from the General Fund from a settlement with multiple gasoline refiners related to contamination from the gasoline additive methyl tertiary-butyl ether to the Environmental Contingency Fund established pursuant to 10 V.S.A. § 1283 for the purpose of extending municipal water to contaminated properties in the Town of Bennington.

Sec. E.711.1 BENNINGTON WATER LINE EXTENSION

(a) Waiver of bond vote. The Town of Bennington shall receive a loan for the Operational Unit C / Chapel Road Project in an amount of up to \$1,500,000 to receive a loan subsidy in the form of 100 percent principal forgiveness with no interest or administrative fee from funds authorized in 24 V.S.A. § 4753(a)(3). Notwithstanding the provisions of 24 V.S.A. § 4755(a)(3), the loan is not required to be evidenced by a municipal bond.

(b) Waiving reimbursement method required in statute. Notwithstanding the provisions of 24 V.S.A. § 4755(b), loan funds may be disbursed to the Town of Bennington for Operational Unit C / Chapel Road Project upon receipt by the Agency of Natural Resources of eligible project invoices without prior payment by the Town.

(c) Cost recovery of loan funds. The loan provided pursuant to this section is to implement a remedial action approved by the Agency of Natural Resources and shall be recoverable from any person responsible for the release of a hazardous material in the same manner as funds spent pursuant to 10 V.S.A. § 1283.

Sec. E.711.2 10 V.S.A. § 1283 is amended to read:

§ 1283. CONTINGENCY FUND

* * *

(b) Disbursements under this subsection may be made for emergency purposes or to respond to other than emergency situations; provided, however, that disbursements in response to an individual situation that is not an emergency situation shall not exceed \$100,000.00 for costs attributable to each of the subdivisions of this subsection, unless the Secretary has received the approval of the General Assembly, or the Joint Fiscal Committee, in case the General Assembly is not in session. Furthermore, the balance in the Fund shall not be drawn below the amount of \$100,000.00, except in emergency situations. If the balance of the Fund becomes insufficient to allow a proper response to one or more emergencies that have occurred, the Secretary shall appear before the Emergency Board, as soon as possible, and shall request that necessary funds be provided. Within these limitations, disbursements from the Fund may be made:

* * *

(6) to pay administrative and field supervision costs incurred by the Secretary or by a municipality at the direction of the Secretary in carrying out the provisions of this subchapter. Annual disbursements, for these costs, to the Department of Environmental Conservation under this subdivision shall not exceed ~~2.0~~ 2.5 percent of annual revenues;

* * *

* * * TRANSPORTATION * * *

Sec. E.903 Transportation – program development

(a) Of the Transportation Funds appropriated in Sec. B.903 of this act, \$300,000 shall be allocated for vehicle incentive and emissions repair programs. This funding allocation in combination with the appropriation in Sec. C.100(b)(2) of this act provides a total funding amount of \$2,000,000 for vehicle incentive and emissions repair programs.

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then the appropriation of Transportation Funds in Sec. B.903 of this act is decreased by \$845,416 and the appropriation of federal funds is increased by \$845,416.

Sec. E.903.1 [Deleted.]

Sec. E.915 Transportation – town highway aid program

(a) This appropriation is authorized notwithstanding the provisions of 19 V.S.A. § 306(a).

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then spending authority and appropriation of Transportation Funds for grants is increased by \$645,416.

Sec. E.919 Transportation – municipal mitigation assistance program

(a) Notwithstanding Sec. 6(a) of 2019 H.529, an act relating to the Transportation Program and miscellaneous changes to laws related to transportation, spending authority for grants in the Municipal Mitigation Assistance Program in the Agency of Transportation's Proposed Fiscal Year 2020 Transportation Program (Revised February 21, 2019) is increased by \$770,000 in special funds from the Clean Water Fund as appropriated in Sec. B.919 of this act.

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then spending authority and the appropriation of Transportation Funds is increased by \$200,000.

* * * MISCELLANEOUS * * *

Sec. F.100 MEALS AND ROOMS TAX ALLOCATION FOR FISCAL
YEAR 2020

(a) Notwithstanding any provision of law to the contrary, for fiscal year 2020 only, any revenue from the meals and rooms taxes in excess of \$7,500,000 that would be deposited in the Clean Water Fund under 10 V.S.A. § 1388(a)(4) shall instead be deposited in the General Fund.

* * * EFFECTIVE DATES * * *

Sec. G.100 EFFECTIVE DATES

(a) This section and Secs. C.100 (fiscal year 2019 one-time appropriations), C.101 (fiscal year 2019 one-time transfer), C.102 (fiscal year 2019 fund transfers, reversions and reserves), C.102.1 (fiscal year 2019 contingent transfers and appropriations), C.102.2 (fiscal year 2019 Secretary of State fund balance), C.103 (fiscal year Tobacco Litigation Settlement Fund transfer and yearend balance), C.104-C.107 (fiscal year 2019 budget adjustments; Legislative Branch), C.108-C.109 (fiscal year 2019 budget adjustments, Agency of Education), C.110-C.113 (fiscal year 2019 budget adjustments, teachers' retirement system and health and medical benefits),

C.114 (Green Mountain Secure Retirement Plan), C.116 (fiscal year 2019 budget adjustment, one-time appropriations), C.117 (loan authorization and funding source), E.112 (energy efficiency; State buildings and facilities), E.127–E.127.2 (Joint Fiscal Committee, grants acceptance language), E.233.1 (Public Service transfer), E.301.2 (mental health and substance use disorder workforce), E.312.1 (report; promotion of immunization), E.318.2 (early childcare and development program cessation), E.318.4 (Bright Futures Information System), E.318.5 (child care workforce grants, continuing education), E.318.6 (child care curriculum), E.329 (transfer of nursing home licensed beds; review process), E.329.1 (18 V.S.A. § 9434(a); licensed nursing home beds exception) E.507 (small schools grant, preserving eligibility, prohibiting duplicate grants), and E.711–E.711.1 (Bennington water line funding and extension), shall take effect upon passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. C.115 (special fund appropriation for tax computer systems) shall take effect on passage and shall apply retroactively to January 1, 2019.

(c) Sec. E.308.1 (personal needs allowance reset) shall take effect on January 1, 2020.

(d) Sec. E.329.2 (18 V.S.A. § 9434(a); repeal of licensed nursing home beds exception) shall take effect on July 1, 2020.

(e) All remaining sections shall take effect on July 1, 2019.

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.

M. JANE KITCHEL

RICHARD W. SEARS, JR.

RICHARD A. WESTMAN

Committee on the part of the Senate

CATHERINE B. TOLL

MARY S. HOOPER

PETER J. FAGAN

Committee on the part of the House

Thereupon, the question, Shall the Senate accept and adopt the report of the Committee of Conference?, was decided in the affirmative on a roll call, Yeas 24, Nays 3.

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

Roll Call

Those Senators who voted in the affirmative were: Ashe, Balint, Baruth, Bray, Campion, Clarkson, Cummings, Hardy, Hooker, Ingram, Kitchel, MacDonald, Mazza, McCormack, Nitka, Pearson, Perchlik, Pollina, Rodgers, Sears, Sirotkin, Starr, Westman, White.

Those Senators who voted in the negative were: Benning, Brock, Collamore.

Those Senators absent and not voting were: Lyons, McNeil, Parent.

Appointment Confirmed

The following Gubernatorial appointment was confirmed separately by the Senate, upon full report given by the Committee to which it was referred:

The nomination of

Schirling, Michael of Burlington - Secretary, Agency of Commerce and Community Development - March 1, 2019 to February 28, 2021.

Was confirmed by the Senate.

Recess

On motion of Senator Ashe the Senate recessed until fall of the gavel.

Message from the House No. 86

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

Mr. President:

I am directed to inform the Senate that:

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 533. An act relating to workforce development.

And has adopted the same on its part.

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 541. An act relating to changes that affect the revenue of the State.

And has adopted the same on its part.

Called to Order

The Senate was called to order by the President pro tempore.

Message from the House No. 87

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

Mr. President:

I am directed to inform the Senate that:

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

S. 141. An act relating to nutritional requirements for children's meals.

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

The House has adopted joint resolution of the following title:

J.R.H. 6. Joint resolution relating to the final adjournment of the General Assembly 2019.

In the adoption of which the concurrence of the Senate is requested.

Rules Suspended; House Proposal of Amendment Not Concurred In and Adhere; Bill Messaged

S. 141.

Pending entry on the Calendar for notice, on motion of Senator Pearson, the rules were suspended and House proposal of amendment to Senate bill entitled:

An act relating to nutritional requirements for children's meals.

Was taken up for immediate consideration.

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

Sec. A.100 SHORT TITLE

(a) This bill may be referred to as the BIG BILL – Fiscal Year 2020 Appropriations Act.

Sec. A.101 PURPOSE

(a) The purpose of this act is to provide appropriations for the operations of State government during fiscal year 2020. It is the express intent of the General Assembly that activities of the various agencies, departments, divisions, boards, and commissions be limited to those that can be supported by funds appropriated in this act or other acts passed prior to June 30, 2019. Agency and department heads are directed to implement staffing and service

levels at the beginning of fiscal year 2020 so as to meet this condition unless otherwise directed by specific language in this act or other acts of the General Assembly.

Sec. A.102 APPROPRIATIONS

(a) It is the intent of the General Assembly that this act serves as the primary source and reference for appropriations for fiscal year 2020.

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

(c) Unless codified or otherwise specified, all narrative portions of this act apply only to the fiscal year ending on June 30, 2020.

Sec. A.103 DEFINITIONS

(a) As used in this act:

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

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

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

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

Sec. A.104 RELATIONSHIP TO EXISTING LAWS

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

Sec. A.105 OFFSETTING APPROPRIATIONS

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

Sec. A.106 FEDERAL FUNDS

(a) In fiscal year 2020, the Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may accept federal funds available to the State of Vermont, including block grants in lieu of or in addition to funds herein designated as federal. The Governor, with the approval of the Legislature or the Joint Fiscal Committee if the Legislature is not in session, may allocate all or any portion of such federal funds for any purpose consistent with the purposes for which the basic appropriations in this act have been made.

(b) If, during fiscal year 2020, federal funds available to the State of Vermont and designated as federal in this and other acts of the 2019 session of the Vermont General Assembly are converted into block grants or are abolished under their current title in federal law and reestablished under a new title in federal law, the Governor may continue to accept such federal funds for any purpose consistent with the purposes for which the federal funds were appropriated. The Governor may spend such funds for such purposes for no more than 45 days prior to Legislative or Joint Fiscal Committee approval. Notice shall be given to the Joint Fiscal Committee without delay if the Governor intends to use the authority granted by this section, and the Joint Fiscal Committee shall meet in an expedited manner to review the Governor's request for approval.

Sec. A.107 NEW POSITIONS

(a) Notwithstanding any other provision of law, the total number of authorized State positions, both classified and exempt, excluding temporary positions as defined in 3 V.S.A. § 311(11), shall not be increased during fiscal year 2020 except for new positions authorized by the 2019 session. Limited service positions approved pursuant to 32 V.S.A. § 5 shall not be subject to this restriction, nor shall positions created pursuant to the Position Pilot Program authorized in 2014 Acts and Resolves No. 179, Sec. E.100(d), as amended by 2015 Acts and Resolves No. 4, Sec. 74, by 2016 Acts and Resolves No. 172, Sec. E.100.2, by 2017 Acts and Resolves No. 85, Sec. E.100.1, and by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.100.1.

Sec. A.108 LEGEND

(a) The bill is organized by functions of government. The sections between B.100 and B.9999 contain appropriations of funds for the upcoming

budget year. The sections between E.100 and E.9999 contain language that relates to specific appropriations or government functions, or both. The function areas by section numbers are as follows:

<u>B.100–B.199 and E.100–E.199</u>	<u>General Government</u>
<u>B.200–B.299 and E.200–E.299</u>	<u>Protection to Persons and Property</u>
<u>B.300–B.399 and E.300–E.399</u>	<u>Human Services</u>
<u>B.400–B.499 and E.400–E.499</u>	<u>Labor</u>
<u>B.500–B.599 and E.500–E.599</u>	<u>General Education</u>
<u>B.600–B.699 and E.600–E.699</u>	<u>Higher Education</u>
<u>B.700–B.799 and E.700–E.799</u>	<u>Natural Resources</u>
<u>B.800–B.899 and E.800–E.899</u>	<u>Commerce and Community Development</u>
<u>B.900–B.999 and E.900–E.999</u>	<u>Transportation</u>
<u>B.1000–B.1099 and E.1000–E.1099</u>	<u>Debt Service</u>
<u>B.1100–B.1199 and E.1100–E.1199</u>	<u>One-time and other appropriation actions</u>

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

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

Personal services	901,632
Operating expenses	<u>209,988</u>
Total	1,111,620
Source of funds	
General fund	886,620
Special funds	150,000
Internal service funds	<u>75,000</u>
Total	1,111,620

Sec. B.101 Secretary of administration - finance

Personal services	1,251,050
Operating expenses	<u>128,367</u>
Total	1,379,417
Source of funds	
Interdepartmental transfers	<u>1,379,417</u>
Total	1,379,417

Sec. B.102 Secretary of administration - workers' compensation insurance	
Personal services	540,613
Operating expenses	<u>229,050</u>
Total	769,663
Source of funds	
Internal service funds	<u>769,663</u>
Total	769,663
Sec. B.103 Secretary of administration - general liability insurance	
Personal services	589,805
Operating expenses	<u>67,265</u>
Total	657,070
Source of funds	
Internal service funds	<u>657,070</u>
Total	657,070
Sec. B.104 Secretary of administration - all other insurance	
Personal services	16,891
Operating expenses	<u>15,284</u>
Total	32,175
Source of funds	
Internal service funds	<u>32,175</u>
Total	32,175
Sec. B.105 Agency of digital services - communications and information technology	
Personal services	48,324,719
Operating expenses	<u>23,980,357</u>
Total	72,305,076
Source of funds	
General fund	179,238
Special funds	383,707
Internal service funds	<u>71,742,131</u>
Total	72,305,076
Sec. B.106 Finance and management - budget and management	
Personal services	1,425,403
Operating expenses	<u>207,736</u>
Total	1,633,139
Source of funds	
General fund	1,286,501
Internal service funds	<u>346,638</u>

Total	1,633,139
Sec. B.107 Finance and management - financial operations	
Personal services	2,210,271
Operating expenses	<u>651,353</u>
Total	2,861,624
Source of funds	
Internal service funds	<u>2,861,624</u>
Total	2,861,624
Sec. B.108 Human resources - operations	
Personal services	8,421,206
Operating expenses	<u>1,267,123</u>
Total	9,688,329
Source of funds	
General fund	1,978,207
Special funds	277,462
Internal service funds	6,552,186
Interdepartmental transfers	<u>880,474</u>
Total	9,688,329
Sec. B.108.1 Human resources - VTHR operations	
Personal services	1,785,852
Operating expenses	<u>728,786</u>
Total	2,514,638
Source of funds	
Internal service funds	<u>2,514,638</u>
Total	2,514,638
Sec. B.109 Human resources - employee benefits & wellness	
Personal services	1,022,285
Operating expenses	<u>587,816</u>
Total	1,610,101
Source of funds	
Internal service funds	<u>1,610,101</u>
Total	1,610,101
Sec. B.110 Libraries	
Personal services	1,990,435
Operating expenses	1,157,389
Grants	<u>245,400</u>
Total	3,393,224
Source of funds	

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General fund	2,062,056
Special funds	116,031
Federal funds	1,116,678
Interdepartmental transfers	<u>98,459</u>
Total	3,393,224
Sec. B.111 Tax - administration/collection	
Personal services	15,677,138
Operating expenses	<u>5,511,905</u>
Total	21,189,043
Source of funds	
General fund	19,475,589
Special funds	1,570,888
Interdepartmental transfers	<u>142,566</u>
Total	21,189,043
Sec. B.112 Buildings and general services - administration	
Personal services	684,803
Operating expenses	<u>90,379</u>
Total	775,182
Source of funds	
Interdepartmental transfers	<u>775,182</u>
Total	775,182
Sec. B.113 Buildings and general services - engineering	
Personal services	2,702,937
Operating expenses	<u>880,486</u>
Total	3,583,423
Source of funds	
Interdepartmental transfers	<u>3,583,423</u>
Total	3,583,423
Sec. B.114 Buildings and general services - information centers	
Personal services	3,482,685
Operating expenses	1,608,448
Grants	<u>35,750</u>
Total	5,126,883
Source of funds	
General fund	648,931
Transportation fund	4,019,636
Special funds	<u>458,316</u>
Total	5,126,883

Sec. B.115 Buildings and general services - purchasing

Personal services	1,060,809
Operating expenses	<u>186,998</u>
Total	1,247,807
Source of funds	
General fund	<u>1,247,807</u>
Total	1,247,807

Sec. B.116 Buildings and general services - postal services

Personal services	766,740
Operating expenses	<u>120,077</u>
Total	886,817
Source of funds	
General fund	85,063
Internal service funds	<u>801,754</u>
Total	886,817

Sec. B.117 Buildings and general services - copy center

Personal services	797,852
Operating expenses	<u>137,298</u>
Total	935,150
Source of funds	
Internal service funds	<u>935,150</u>
Total	935,150

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

Personal services	735,645
Operating expenses	<u>208,836</u>
Total	944,481
Source of funds	
Internal service funds	<u>944,481</u>
Total	944,481

Sec. B.119 Buildings and general services - federal surplus property

Personal services	14,945
Operating expenses	<u>8,107</u>
Total	23,052
Source of funds	
Enterprise funds	<u>23,052</u>
Total	23,052

Sec. B.120 Buildings and general services - state surplus property

Personal services	190,580
Operating expenses	<u>121,866</u>
Total	312,446
Source of funds	
Internal service funds	<u>312,446</u>
Total	312,446

Sec. B.121 Buildings and general services - property management

Personal services	1,342,177
Operating expenses	<u>457,542</u>
Total	1,799,719
Source of funds	
Internal service funds	<u>1,799,719</u>
Total	1,799,719

Sec. B.122 Buildings and general services - fee for space

Personal services	16,518,501
Operating expenses	<u>14,082,725</u>
Total	30,601,226
Source of funds	
Internal service funds	<u>30,601,226</u>
Total	30,601,226

Sec. B.124 Executive office - governor's office

Personal services	1,372,645
Operating expenses	<u>472,437</u>
Total	1,845,082
Source of funds	
General fund	1,658,582
Interdepartmental transfers	<u>186,500</u>
Total	1,845,082

Sec. B.125 Legislative council

Personal services	4,317,739
Operating expenses	<u>866,574</u>
Total	5,184,313
Source of funds	
General fund	<u>5,184,313</u>
Total	5,184,313

Sec. B.126 Legislature

Personal services	4,234,740
Operating expenses	<u>3,884,632</u>
Total	8,119,372
Source of funds	
General fund	<u>8,119,372</u>
Total	8,119,372

Sec. B.127 Joint fiscal committee

Personal services	1,858,779
Operating expenses	<u>164,274</u>
Total	2,023,053
Source of funds	
General fund	<u>2,023,053</u>
Total	2,023,053

Sec. B.128 Sergeant at arms

Personal services	785,233
Operating expenses	<u>77,971</u>
Total	863,204
Source of funds	
General fund	<u>863,204</u>
Total	863,204

Sec. B.129 Lieutenant governor

Personal services	231,651
Operating expenses	<u>31,482</u>
Total	263,133
Source of funds	
General fund	<u>263,133</u>
Total	263,133

Sec. B.130 Auditor of accounts

Personal services	3,477,063
Operating expenses	<u>157,985</u>
Total	3,635,048
Source of funds	
General fund	404,513
Special funds	53,145
Internal service funds	<u>3,177,390</u>
Total	3,635,048

Sec. B.131 State treasurer

Personal services	3,848,234
Operating expenses	<u>222,299</u>
Total	4,070,533
Source of funds	
General fund	981,483
Special funds	2,968,779
Interdepartmental transfers	<u>120,271</u>
Total	4,070,533

Sec. B.132 State treasurer - unclaimed property

Personal services	808,784
Operating expenses	<u>316,917</u>
Total	1,125,701
Source of funds	
Private purpose trust funds	<u>1,125,701</u>
Total	1,125,701

Sec. B.133 Vermont state retirement system

Personal services	5,363,103
Operating expenses	<u>1,425,321</u>
Total	6,788,424
Source of funds	
Pension trust funds	<u>6,788,424</u>
Total	6,788,424

Sec. B.134 Municipal employees' retirement system

Personal services	2,035,007
Operating expenses	<u>881,001</u>
Total	2,916,008
Source of funds	
Pension trust funds	<u>2,916,008</u>
Total	2,916,008

Sec. B.135 State labor relations board

Personal services	218,630
Operating expenses	<u>50,179</u>
Total	268,809
Source of funds	
General fund	259,233
Special funds	6,788
Interdepartmental transfers	<u>2,788</u>

Total	268,809
Sec. B.136 VOSHA review board	
Personal services	79,740
Operating expenses	<u>12,610</u>
Total	92,350
Source of funds	
General fund	46,175
Interdepartmental transfers	<u>46,175</u>
Total	92,350
Sec. B.136.1 Ethics Commission	
Personal services	102,584
Operating expenses	<u>18,259</u>
Total	120,843
Source of funds	
Internal service funds	<u>120,843</u>
Total	120,843
Sec. B.137 Homeowner rebate	
Grants	<u>16,600,000</u>
Total	16,600,000
Source of funds	
General fund	<u>16,600,000</u>
Total	16,600,000
Sec. B.138 Renter rebate	
Grants	<u>9,500,000</u>
Total	9,500,000
Source of funds	
General fund	<u>9,500,000</u>
Total	9,500,000
Sec. B.139 Tax department - reappraisal and listing payments	
Grants	<u>3,303,324</u>
Total	3,303,324
Source of funds	
General fund	<u>3,303,324</u>
Total	3,303,324
Sec. B.140 Municipal current use	
Grants	<u>16,603,039</u>
Total	16,603,039

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Source of funds	
General fund	<u>16,603,039</u>
Total	16,603,039
Sec. B.142 Payments in lieu of taxes	
Grants	<u>8,750,000</u>
Total	8,750,000
Source of funds	
Special funds	<u>8,750,000</u>
Total	8,750,000
Sec. B.143 Payments in lieu of taxes - Montpelier	
Grants	<u>184,000</u>
Total	184,000
Source of funds	
Special funds	<u>184,000</u>
Total	184,000
Sec. B.144 Payments in lieu of taxes - correctional facilities	
Grants	<u>40,000</u>
Total	40,000
Source of funds	
Special funds	<u>40,000</u>
Total	40,000
Sec. B.145 Total general government	
Source of funds	
General fund	93,659,436
Transportation fund	4,019,636
Special funds	14,959,116
Federal funds	1,116,678
Internal service funds	125,854,235
Interdepartmental transfers	7,215,255
Enterprise funds	23,052
Pension trust funds	9,704,432
Private purpose trust funds	<u>1,125,701</u>
Total	257,677,541
Sec. B.200 Attorney general	
Personal services	10,353,687
Operating expenses	1,523,368
Grants	<u>26,500</u>
Total	11,903,555

Source of funds	
General fund	5,433,266
Special funds	2,015,281
Tobacco fund	348,000
Federal funds	1,256,355
Interdepartmental transfers	<u>2,850,653</u>
Total	11,903,555
Sec. B.201 Vermont court diversion	
Personal services	2,970,189
Grants	<u>185,294</u>
Total	3,155,483
Source of funds	
General fund	2,715,486
Special funds	<u>439,997</u>
Total	3,155,483
Sec. B.202 Defender general - public defense	
Personal services	11,968,678
Operating expenses	<u>1,107,989</u>
Total	13,076,667
Source of funds	
General fund	12,487,014
Special funds	<u>589,653</u>
Total	13,076,667
Sec. B.203 Defender general - assigned counsel	
Personal services	5,919,842
Operating expenses	<u>49,819</u>
Total	5,969,661
Source of funds	
General fund	<u>5,969,661</u>
Total	5,969,661
Sec. B.204 Judiciary	
Personal services	42,107,083
Operating expenses	9,655,475
Grants	<u>121,030</u>
Total	51,883,588
Source of funds	
General fund	45,651,954
Special funds	3,248,649
Federal funds	887,586

Interdepartmental transfers	<u>2,095,399</u>
Total	51,883,588
Sec. B.205 State's attorneys	
Personal services	13,730,084
Operating expenses	<u>1,803,114</u>
Total	15,533,198
Source of funds	
General fund	12,714,313
Special funds	121,240
Federal funds	31,000
Interdepartmental transfers	<u>2,666,645</u>
Total	15,533,198
Sec. B.206 Special investigative unit	
Personal services	85,000
Operating expenses	1,100
Grants	<u>1,913,000</u>
Total	1,999,100
Source of funds	
General fund	<u>1,999,100</u>
Total	1,999,100
Sec. B.207 Sheriffs	
Personal services	4,245,584
Operating expenses	<u>415,279</u>
Total	4,660,863
Source of funds	
General fund	<u>4,660,863</u>
Total	4,660,863
Sec. B.208 Public safety - administration	
Personal services	3,686,993
Operating expenses	4,724,924
Grants	<u>200,000</u>
Total	8,611,917
Source of funds	
General fund	4,431,288
Special funds	175,000
Federal funds	441,300
Interdepartmental transfers	<u>3,564,329</u>
Total	8,611,917

Sec. B.209 Public safety - state police

Personal services	56,917,271
Operating expenses	11,566,494
Grants	<u>1,302,805</u>
Total	69,786,570
Source of funds	
General fund	40,506,303
Transportation fund	20,250,000
Special funds	3,067,749
Federal funds	4,063,667
Interdepartmental transfers	<u>1,898,851</u>
Total	69,786,570

Sec. B.210 Public safety - criminal justice services

Personal services	4,365,847
Operating expenses	<u>1,477,904</u>
Total	5,843,751
Source of funds	
General fund	3,147,212
Special funds	1,930,649
Federal funds	<u>765,890</u>
Total	5,843,751

Sec. B.211 Public safety - emergency management

Personal services	2,764,385
Operating expenses	1,106,406
Grants	<u>5,111,905</u>
Total	8,982,696
Source of funds	
General fund	433,306
Special funds	230,000
Federal funds	<u>8,319,390</u>
Total	8,982,696

Sec. B.212 Public safety - fire safety

Personal services	6,863,783
Operating expenses	3,383,347
Grants	<u>107,000</u>
Total	10,354,130
Source of funds	
General fund	477,905
Special funds	8,954,902

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Federal funds		876,323
Interdepartmental transfers		<u>45,000</u>
Total		10,354,130
Sec. B.213 Public safety - Forensic Laboratory		
Personal services		3,097,286
Operating expenses		<u>1,134,268</u>
Total		4,231,554
Source of funds		
General fund		3,177,547
Special funds		78,555
Federal funds		414,702
Interdepartmental transfers		<u>560,750</u>
Total		4,231,554
Sec. B.215 Military - administration		
Personal services		767,401
Operating expenses		480,758
Grants		<u>1,426,718</u>
Total		2,674,877
Source of funds		
General fund		<u>2,674,877</u>
Total		2,674,877
Sec. B.216 Military - air service contract		
Personal services		6,024,812
Operating expenses		<u>937,929</u>
Total		6,962,741
Source of funds		
General fund		581,730
Federal funds		<u>6,381,011</u>
Total		6,962,741
Sec. B.217 Military - army service contract		
Personal services		8,692,642
Operating expenses		<u>6,093,050</u>
Total		14,785,692
Source of funds		
Federal funds		<u>14,785,692</u>
Total		14,785,692
Sec. B.218 Military - building maintenance		
Personal services		820,735

Operating expenses	<u>687,573</u>
Total	1,508,308
Source of funds	
General fund	1,448,308
Special funds	<u>60,000</u>
Total	1,508,308
Sec. B.219 Military - veterans' affairs	
Personal services	833,614
Operating expenses	173,955
Grants	<u>50,800</u>
Total	1,058,369
Source of funds	
General fund	811,151
Special funds	147,218
Federal funds	<u>100,000</u>
Total	1,058,369
Sec. B.220 Center for crime victim services	
Personal services	2,251,106
Operating expenses	756,995
Grants	<u>13,281,115</u>
Total	16,289,216
Source of funds	
General fund	1,264,158
Special funds	5,342,728
Federal funds	<u>9,682,330</u>
Total	16,289,216
Sec. B.221 Criminal justice training council	
Personal services	1,294,952
Operating expenses	<u>1,397,689</u>
Total	2,692,641
Source of funds	
General fund	2,488,016
Interdepartmental transfers	<u>204,625</u>
Total	2,692,641
Sec. B.222 Agriculture, food and markets - administration	
Personal services	1,475,369
Operating expenses	438,811
Grants	<u>210,972</u>
Total	2,125,152

Source of funds	
General fund	979,008
Special funds	714,922
Federal funds	<u>431,222</u>
Total	2,125,152
Sec. B.223 Agriculture, food and markets - food safety and consumer protection	
Personal services	4,296,689
Operating expenses	752,772
Grants	<u>2,750,000</u>
Total	7,799,461
Source of funds	
General fund	2,895,182
Special funds	3,644,093
Federal funds	1,253,186
Interdepartmental transfers	<u>7,000</u>
Total	7,799,461
Sec. B.224 Agriculture, food and markets - agricultural development	
Personal services	1,717,913
Operating expenses	1,080,763
Grants	<u>1,394,875</u>
Total	4,193,551
Source of funds	
General fund	2,100,030
Special funds	688,828
Federal funds	<u>1,404,693</u>
Total	4,193,551
Sec. B.225 Agriculture, food and markets - agricultural resource management and environmental stewardship	
Personal services	2,446,869
Operating expenses	586,350
Grants	<u>223,334</u>
Total	3,256,553
Source of funds	
General fund	730,945
Special funds	1,816,068
Federal funds	454,022
Interdepartmental transfers	<u>255,518</u>
Total	3,256,553

Sec. B.225.1 Agriculture, food and markets - Vermont Agriculture and Environmental Lab

Personal services	1,589,625
Operating expenses	<u>932,332</u>
Total	2,521,957
Source of funds	
General fund	921,265
Special funds	1,536,479
Interdepartmental transfers	<u>64,213</u>
Total	2,521,957

Sec. B.225.2 Agriculture, Food and Markets - Clean Water

Personal services	2,909,421
Operating expenses	479,805
Grants	<u>3,117,000</u>
Total	6,506,226
Source of funds	
General fund	1,205,080
Special funds	4,820,618
Federal funds	93,097
Interdepartmental transfers	<u>387,431</u>
Total	6,506,226

Sec. B.226 Financial regulation - administration

Personal services	1,949,236
Operating expenses	<u>467,013</u>
Total	2,416,249
Source of funds	
Special funds	<u>2,416,249</u>
Total	2,416,249

Sec. B.227 Financial regulation - banking

Personal services	1,783,809
Operating expenses	<u>408,155</u>
Total	2,191,964
Source of funds	
Special funds	<u>2,191,964</u>
Total	2,191,964

Sec. B.228 Financial regulation - insurance

Personal services	4,030,293
Operating expenses	<u>556,143</u>

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Total	4,586,436
Source of funds	
Special funds	<u>4,586,436</u>
Total	4,586,436
Sec. B.229 Financial regulation - captive insurance	
Personal services	4,710,762
Operating expenses	<u>584,596</u>
Total	5,295,358
Source of funds	
Special funds	<u>5,295,358</u>
Total	5,295,358
Sec. B.230 Financial regulation - securities	
Personal services	949,284
Operating expenses	<u>234,192</u>
Total	1,183,476
Source of funds	
Special funds	<u>1,183,476</u>
Total	1,183,476
Sec. B.232 Secretary of state	
Personal services	10,521,639
Operating expenses	2,875,930
Grants	<u>150,000</u>
Total	13,547,569
Source of funds	
Special funds	11,394,045
Federal funds	<u>2,153,524</u>
Total	13,547,569
Sec. B.233 Public service - regulation and energy	
Personal services	10,723,409
Operating expenses	1,443,544
Grants	<u>2,767,237</u>
Total	14,934,190
Source of funds	
Special funds	13,407,207
Federal funds	532,983
ARRA funds	921,260
Interdepartmental transfers	50,000
Enterprise funds	<u>22,740</u>
Total	14,934,190

Sec. B.234 Public utility commission

Personal services	3,285,568
Operating expenses	<u>471,932</u>
Total	3,757,500
Source of funds	
Special funds	<u>3,757,500</u>
Total	3,757,500

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

Personal services	3,803,802
Operating expenses	388,612
Grants	<u>720,000</u>
Total	4,912,414
Source of funds	
Special funds	<u>4,912,414</u>
Total	4,912,414

Sec. B.236 Human rights commission

Personal services	627,615
Operating expenses	<u>75,932</u>
Total	703,547
Source of funds	
General fund	628,256
Federal funds	<u>75,291</u>
Total	703,547

Sec. B.236.1 Liquor & Lottery Comm. Office

Personal services	525,243
Operating expenses	<u>5,350</u>
Total	530,593
Source of funds	
Enterprise funds	<u>530,593</u>
Total	530,593

Sec. B.236.2 Lottery Operations

Personal services	1,733,694
Operating expenses	1,381,440
Grants	<u>100,000</u>
Total	3,215,134
Source of funds	
Enterprise funds	<u>3,215,134</u>
Total	3,215,134

Sec. B.237 Liquor control - administration

Personal services	2,743,126
Operating expenses	<u>1,120,841</u>
Total	3,863,967
Source of funds	
Enterprise funds	<u>3,863,967</u>
Total	3,863,967

Sec. B.238 Liquor control - enforcement and licensing

Personal services	2,238,782
Operating expenses	<u>453,153</u>
Total	2,691,935
Source of funds	
Tobacco fund	213,843
Federal funds	184,484
Interdepartmental transfers	5,000
Enterprise funds	<u>2,288,608</u>
Total	2,691,935

Sec. B.239 Liquor control - warehousing and distribution

Personal services	1,082,020
Operating expenses	<u>469,338</u>
Total	1,551,358
Source of funds	
Enterprise funds	<u>1,551,358</u>
Total	1,551,358

Sec. B.240 Total protection to persons and property

Source of funds	
General fund	162,533,224
Transportation fund	20,250,000
Special funds	88,767,278
Tobacco fund	561,843
Federal funds	54,587,748
ARRA funds	921,260
Interdepartmental transfers	14,655,414
Enterprise funds	<u>11,472,400</u>
Total	353,749,167

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

Personal services	11,177,461
Operating expenses	6,805,654

Grants	<u>2,895,202</u>
Total	20,878,317
Source of funds	
General fund	7,775,309
Special funds	135,517
Federal funds	11,555,036
Global Commitment fund	453,000
Interdepartmental transfers	<u>959,455</u>
Total	20,878,317
Sec. B.301 Secretary's office - global commitment	
Operating expenses	3,150,212
Grants	<u>1,631,994,544</u>
Total	1,635,144,756
Source of funds	
General fund	562,258,602
Special funds	34,969,169
Tobacco fund	21,049,373
State health care resources fund	16,915,501
Federal funds	984,584,332
Interdepartmental transfers	<u>15,367,779</u>
Total	1,635,144,756
Sec. B.303 Developmental disabilities council	
Personal services	366,501
Operating expenses	94,962
Grants	<u>191,595</u>
Total	653,058
Source of funds	
Special funds	12,000
Federal funds	<u>641,058</u>
Total	653,058
Sec. B.304 Human services board	
Personal services	718,478
Operating expenses	<u>87,620</u>
Total	806,098
Source of funds	
General fund	451,554
Federal funds	332,018
Interdepartmental transfers	<u>22,526</u>
Total	806,098

 Sec. B.305 AHS - administrative fund

Personal services	350,000
Operating expenses	<u>10,150,000</u>
Total	10,500,000
Source of funds	
Interdepartmental transfers	<u>10,500,000</u>
Total	10,500,000

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

Personal services	134,603,806
Operating expenses	29,905,859
Grants	<u>7,314,723</u>
Total	171,824,388
Source of funds	
General fund	29,222,317
Special funds	6,096,108
Federal funds	124,749,165
Global Commitment fund	4,214,196
Interdepartmental transfers	<u>7,542,602</u>
Total	171,824,388

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

Personal services	547,983
Grants	<u>737,800,525</u>
Total	738,348,508
Source of funds	
Global Commitment fund	<u>738,348,508</u>
Total	738,348,508

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

Grants	<u>213,712,634</u>
Total	213,712,634
Source of funds	
Global Commitment fund	<u>213,712,634</u>
Total	213,712,634

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

Grants	<u>49,211,558</u>
Total	49,211,558

Source of funds	
General fund	37,605,920
Global Commitment fund	<u>11,605,638</u>
Total	49,211,558
Sec. B.310 Department of Vermont health access - Medicaid non-waiver matched	
Grants	<u>32,435,074</u>
Total	32,435,074
Source of funds	
General fund	11,425,047
Federal funds	<u>21,010,027</u>
Total	32,435,074
Sec. B.311 Health - administration and support	
Personal services	5,464,580
Operating expenses	5,852,063
Grants	<u>4,040,881</u>
Total	15,357,524
Source of funds	
General fund	2,867,817
Special funds	1,824,499
Federal funds	7,063,414
Global Commitment fund	3,510,576
Interdepartmental transfers	<u>91,218</u>
Total	15,357,524
Sec. B.312 Health - public health	
Personal services	44,859,249
Operating expenses	8,623,418
Grants	<u>36,469,334</u>
Total	89,952,001
Source of funds	
General fund	10,159,167
Special funds	18,230,647
Tobacco fund	1,088,918
Federal funds	46,234,807
Global Commitment fund	13,068,355
Interdepartmental transfers	1,145,107
Permanent trust funds	<u>25,000</u>
Total	89,952,001

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

Personal services	4,363,807
Operating expenses	255,634
Grants	<u>51,538,398</u>
Total	56,157,839
Source of funds	
General fund	1,946,686
Special funds	1,170,177
Tobacco fund	949,917
Federal funds	17,574,970
Global Commitment fund	<u>34,516,089</u>
Total	56,157,839

Sec. B.314 Mental health - mental health

Sec. B.314 Mental health - mental health

Personal services	32,082,652
Operating expenses	4,434,083
Grants	<u>234,801,390</u>
Total	271,318,125
Source of funds	
General fund	7,694,909
Special funds	1,184,904
Federal funds	9,132,390
Global Commitment fund	253,232,674
Interdepartmental transfers	<u>73,248</u>
Total	271,318,125

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

Personal services	41,876,642
Operating expenses	11,526,385
Grants	<u>1,342,620</u>
Total	54,745,647
Source of funds	
General fund	25,920,417
Special funds	2,706,557
Federal funds	23,918,495
Global Commitment fund	1,981,083
Interdepartmental transfers	<u>219,095</u>
Total	54,745,647

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

Personal services	37,615,510
Operating expenses	4,931,546
Grants	<u>78,289,704</u>
Total	120,836,760
Source of funds	
General fund	43,958,383
Special funds	877,587
Federal funds	27,412,577
Global Commitment fund	48,476,324
Interdepartmental transfers	<u>111,889</u>
Total	120,836,760

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

Personal services	4,718,950
Operating expenses	850,728
Grants	<u>79,671,975</u>
Total	85,241,653
Source of funds	
General fund	39,136,315
Special funds	1,820,000
Federal funds	33,144,045
Global Commitment fund	11,118,793
Interdepartmental transfers	<u>22,500</u>
Total	85,241,653

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

Personal services	10,805,408
Operating expenses	<u>3,679,303</u>
Total	14,484,711
Source of funds	
General fund	4,306,156
Special funds	455,719
Federal funds	9,335,236
Interdepartmental transfers	<u>387,600</u>
Total	14,484,711

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

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

Source of funds	
General fund	8,649,899
Global Commitment fund	<u>3,900,330</u>
Total	12,550,229
Sec. B.321 Department for children and families - general assistance	
Personal services	15,000
Grants	<u>7,112,360</u>
Total	7,127,360
Source of funds	
General fund	6,730,025
Federal funds	111,320
Global Commitment fund	<u>286,015</u>
Total	7,127,360
Sec. B.322 Department for children and families - 3SquaresVT	
Grants	<u>29,827,906</u>
Total	29,827,906
Source of funds	
Federal funds	<u>29,827,906</u>
Total	29,827,906
Sec. B.323 Department for children and families - reach up	
Operating expenses	51,517
Grants	<u>31,639,481</u>
Total	31,690,998
Source of funds	
General fund	5,473,872
Special funds	21,079,984
Federal funds	2,455,524
Global Commitment fund	<u>2,681,618</u>
Total	31,690,998
Sec. B.324 Department for children and families - home heating fuel assistance/LIHEAP	
Grants	<u>16,019,953</u>
Total	16,019,953
Source of funds	
Special funds	1,259,217
Federal funds	<u>14,760,736</u>
Total	16,019,953

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

Personal services	522,340
Operating expenses	43,673
Grants	<u>9,809,823</u>
Total	10,375,836
Source of funds	
General fund	5,065,004
Special funds	57,990
Federal funds	4,423,154
Global Commitment fund	<u>829,688</u>
Total	10,375,836

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

Personal services	326,525
Operating expenses	44,525
Grants	<u>12,038,018</u>
Total	12,409,068
Source of funds	
Special funds	7,812,978
Federal funds	<u>4,596,090</u>
Total	12,409,068

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

Personal services	5,164,274
Operating expenses	<u>715,868</u>
Total	5,880,142
Source of funds	
General fund	5,783,142
Interdepartmental transfers	<u>97,000</u>
Total	5,880,142

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

Personal services	6,276,032
Operating expenses	<u>419,984</u>
Total	6,696,016
Source of funds	
General fund	107,003
Federal funds	<u>6,589,013</u>

Total	6,696,016
Sec. B.329 Disabilities, aging, and independent living - administration & support	
Personal services	32,686,936
Operating expenses	<u>5,723,801</u>
Total	38,410,737
Source of funds	
General fund	17,049,356
Special funds	1,390,457
Federal funds	18,904,640
Interdepartmental transfers	<u>1,066,284</u>
Total	38,410,737
Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants	
Grants	<u>19,611,505</u>
Total	19,611,505
Source of funds	
General fund	7,623,375
Federal funds	7,148,466
Global Commitment fund	<u>4,839,664</u>
Total	19,611,505
Sec. B.331 Disabilities, aging, and independent living - blind and visually impaired	
Grants	<u>1,661,457</u>
Total	1,661,457
Source of funds	
General fund	389,154
Special funds	223,450
Federal funds	743,853
Global Commitment fund	<u>305,000</u>
Total	1,661,457
Sec. B.332 Disabilities, aging, and independent living - vocational rehabilitation	
Grants	<u>7,024,368</u>
Total	7,024,368
Source of funds	
General fund	1,371,845
Federal funds	4,402,523
Interdepartmental transfers	<u>1,250,000</u>

Total	7,024,368
Sec. B.333 Disabilities, aging, and independent living - developmental services	
Grants	<u>232,748,868</u>
Total	232,748,868
Source of funds	
General fund	155,125
Special funds	15,463
Federal funds	359,857
Global Commitment fund	232,173,423
Interdepartmental transfers	<u>45,000</u>
Total	232,748,868
Sec. B.334 Disabilities, aging, and independent living - TBI home and community based waiver	
Grants	<u>5,788,057</u>
Total	5,788,057
Source of funds	
Global Commitment fund	<u>5,788,057</u>
Total	5,788,057
Sec. B.335 Corrections - administration	
Personal services	3,108,496
Operating expenses	<u>238,644</u>
Total	3,347,140
Source of funds	
General fund	<u>3,347,140</u>
Total	3,347,140
Sec. B.336 Corrections - parole board	
Personal services	333,919
Operating expenses	<u>81,081</u>
Total	415,000
Source of funds	
General fund	<u>415,000</u>
Total	415,000
Sec. B.337 Corrections - correctional education	
Personal services	3,366,460
Operating expenses	<u>244,932</u>
Total	3,611,392
Source of funds	
General fund	3,462,608

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Interdepartmental transfers	<u>148,784</u>
Total	3,611,392
Sec. B.338 Corrections - correctional services	
Personal services	113,866,882
Operating expenses	21,526,975
Grants	<u>8,474,287</u>
Total	143,868,144
Source of funds	
General fund	137,048,955
Special funds	929,963
Federal funds	479,209
Global Commitment fund	5,013,702
Interdepartmental transfers	<u>396,315</u>
Total	143,868,144
Sec. B.339 Corrections - Correctional services-out of state beds	
Personal services	<u>6,226,759</u>
Total	6,226,759
Source of funds	
General fund	<u>6,226,759</u>
Total	6,226,759
Sec. B.340 Corrections - correctional facilities - recreation	
Personal services	391,140
Operating expenses	<u>455,845</u>
Total	846,985
Source of funds	
Special funds	<u>846,985</u>
Total	846,985
Sec. B.341 Corrections - Vermont offender work program	
Personal services	1,509,826
Operating expenses	<u>525,784</u>
Total	2,035,610
Source of funds	
Internal service funds	<u>2,035,610</u>
Total	2,035,610
Sec. B.342 Vermont veterans' home - care and support services	
Personal services	20,371,013
Operating expenses	<u>5,019,422</u>
Total	25,390,435

Source of funds	
General fund	345,783
Special funds	15,990,205
Federal funds	<u>9,054,447</u>
Total	25,390,435
Sec. B.343 Commission on women	
Personal services	333,046
Operating expenses	<u>60,085</u>
Total	393,131
Source of funds	
General fund	390,631
Special funds	<u>2,500</u>
Total	393,131
Sec. B.344 Retired senior volunteer program	
Grants	<u>151,096</u>
Total	151,096
Source of funds	
General fund	<u>151,096</u>
Total	151,096
Sec. B.345 Green Mountain Care Board	
Personal services	7,620,589
Operating expenses	<u>360,199</u>
Total	7,980,788
Source of funds	
General fund	3,192,315
Special funds	<u>4,788,473</u>
Total	7,980,788
Sec. B.346 Total human services	
Source of funds	
General fund	997,706,686
Special funds	123,880,549
Tobacco fund	23,088,208
State health care resources fund	16,915,501
Federal funds	1,420,544,308
Global Commitment fund	1,590,055,367
Internal service funds	2,035,610
Interdepartmental transfers	39,446,402
Permanent trust funds	<u>25,000</u>
Total	4,213,697,631

Sec. B.400 Labor - programs

Personal services	29,542,710
Operating expenses	10,454,244
Grants	<u>4,575,300</u>
Total	44,572,254
Source of funds	
General fund	4,569,407
Special funds	7,049,772
Federal funds	31,540,700
Interdepartmental transfers	<u>1,412,375</u>
Total	44,572,254

Sec. B.401 Total labor

Source of funds	
General fund	4,569,407
Special funds	7,049,772
Federal funds	31,540,700
Interdepartmental transfers	<u>1,412,375</u>
Total	44,572,254

Sec. B.500 Education - finance and administration

Personal services	7,196,440
Operating expenses	3,695,315
Grants	<u>14,270,700</u>
Total	25,162,455
Source of funds	
General fund	3,747,829
Special funds	15,218,303
Education fund	3,367,483
Federal funds	2,199,952
Global Commitment fund	260,000
Interdepartmental transfers	<u>368,888</u>
Total	25,162,455

Sec. B.501 Education - education services

Personal services	18,270,055
Operating expenses	1,405,450
Grants	<u>119,396,536</u>
Total	139,072,041
Source of funds	
General fund	6,384,982
Special funds	3,414,114

Tobacco fund	750,388
Federal funds	<u>128,522,557</u>
Total	139,072,041
Sec. B.502 Education - special education: formula grants	
Grants	<u>212,956,000</u>
Total	212,956,000
Source of funds	
Education fund	<u>212,956,000</u>
Total	212,956,000
Sec. B.503 Education - state-placed students	
Grants	<u>18,000,000</u>
Total	18,000,000
Source of funds	
Education fund	<u>18,000,000</u>
Total	18,000,000
Sec. B.504 Education - adult education and literacy	
Grants	<u>4,371,050</u>
Total	4,371,050
Source of funds	
General fund	3,605,000
Federal funds	<u>766,050</u>
Total	4,371,050
Sec. B.504.1 Education - Flexible Pathways	
Grants	<u>8,599,000</u>
Total	8,599,000
Source of funds	
General fund	892,500
Education fund	<u>7,706,500</u>
Total	8,599,000
Sec. B.505 Education - adjusted education payment	
Grants	<u>1,428,800,000</u>
Total	1,428,800,000
Source of funds	
Education fund	<u>1,428,800,000</u>
Total	1,428,800,000
Sec. B.506 Education - transportation	
Grants	<u>19,800,000</u>

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Total	19,800,000
Source of funds	
Education fund	<u>19,800,000</u>
Total	19,800,000
Sec. B.507 Education - small school grants	
Grants	<u>8,400,000</u>
Total	8,400,000
Source of funds	
Education fund	<u>8,400,000</u>
Total	8,400,000
Sec. B.510 Education - essential early education grant	
Grants	<u>6,808,000</u>
Total	6,808,000
Source of funds	
Education fund	<u>6,808,000</u>
Total	6,808,000
Sec. B.511 Education - technical education	
Grants	<u>14,150,000</u>
Total	14,150,000
Source of funds	
Education fund	<u>14,150,000</u>
Total	14,150,000
Sec. B.511.1 State Board of Education	
Personal services	25,000
Operating expenses	<u>55,845</u>
Total	80,845
Source of funds	
General fund	<u>80,845</u>
Total	80,845
Sec. B.514 State teachers' retirement system	
Grants	<u>120,247,389</u>
Total	120,247,389
Source of funds	
General fund	113,466,168
Education fund	<u>6,781,221</u>
Total	120,247,389

Sec. B.514.1 State teachers' retirement system administration

Personal services	5,305,211
Operating expenses	<u>1,673,583</u>
Total	6,978,794
Source of funds	
Pension trust funds	<u>6,978,794</u>
Total	6,978,794

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

Grants	<u>31,067,652</u>
Total	31,067,652
Source of funds	
General fund	<u>31,067,652</u>
Total	31,067,652

Sec. B.516 Total general education

Source of funds	
General fund	159,244,976
Special funds	18,632,417
Tobacco fund	750,388
Education fund	1,726,769,204
Federal funds	131,488,559
Global Commitment fund	260,000
Interdepartmental transfers	368,888
Pension trust funds	<u>6,978,794</u>
Total	2,044,493,226

Sec. B.600 University of Vermont

Grants	<u>42,509,093</u>
Total	42,509,093
Source of funds	
General fund	40,485,359
Global Commitment fund	<u>2,023,734</u>
Total	42,509,093

Sec. B.602 Vermont state colleges

Grants	<u>29,800,464</u>
Total	29,800,464
Source of funds	
General fund	<u>29,800,464</u>
Total	29,800,464

 Sec. B.602.1 Vermont state colleges - Supplemental Aid

Grants	<u>700,000</u>
Total	700,000
Source of funds	
General fund	<u>700,000</u>
Total	700,000

Sec. B.603 Vermont state colleges - allied health

Grants	<u>1,157,775</u>
Total	1,157,775
Source of funds	
General fund	748,314
Global Commitment fund	<u>409,461</u>
Total	1,157,775

Sec. B.605 Vermont student assistance corporation

Grants	<u>19,978,588</u>
Total	19,978,588
Source of funds	
General fund	<u>19,978,588</u>
Total	19,978,588

Sec. B.606 New England higher education compact

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

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

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

Sec. B.608 Total higher education

Source of funds	
General fund	91,796,726
Global Commitment fund	<u>2,433,195</u>
Total	94,229,921

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

Personal services	2,302,597
Operating expenses	1,079,841
Grants	<u>19,960</u>
Total	3,402,398
Source of funds	
General fund	2,720,669
Special funds	581,818
Interdepartmental transfers	<u>99,911</u>
Total	3,402,398

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

Operating expenses	<u>2,561,955</u>
Total	2,561,955
Source of funds	
General fund	2,140,455
Interdepartmental transfers	<u>421,500</u>
Total	2,561,955

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

Personal services	17,806,224
Operating expenses	5,476,943
Grants	<u>1,118,313</u>
Total	24,401,480
Source of funds	
General fund	6,088,870
Special funds	166,892
Fish and wildlife fund	9,236,567
Federal funds	8,789,226
Interdepartmental transfers	<u>119,925</u>
Total	24,401,480

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

Personal services	957,931
Operating expenses	<u>994,054</u>
Total	1,951,985
Source of funds	
General fund	<u>1,951,985</u>
Total	1,951,985

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

Personal services	5,879,782
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Operating expenses	796,027
Grants	<u>459,000</u>
Total	7,134,809
Source of funds	
General fund	4,873,880
Special funds	412,999
Federal funds	1,487,097
Interdepartmental transfers	<u>360,833</u>
Total	7,134,809
Sec. B.705 Forests, parks and recreation - state parks	
Personal services	8,900,714
Operating expenses	<u>2,563,470</u>
Total	11,464,184
Source of funds	
General fund	292,679
Special funds	11,111,505
Permanent trust funds	<u>60,000</u>
Total	11,464,184
Sec. B.706 Forests, parks and recreation - lands administration and recreation	
Personal services	1,346,739
Operating expenses	1,384,647
Grants	<u>2,600,914</u>
Total	5,332,300
Source of funds	
General fund	853,114
Special funds	2,020,151
Federal funds	2,336,535
Interdepartmental transfers	<u>122,500</u>
Total	5,332,300
Sec. B.708 Forests, parks and recreation - forest and parks access roads	
Personal services	65,425
Operating expenses	<u>114,500</u>
Total	179,925
Source of funds	
General fund	<u>179,925</u>
Total	179,925
Sec. B.709 Environmental conservation - management and support services	
Personal services	6,617,612
Operating expenses	3,781,860

Grants	<u>150,000</u>
Total	10,549,472
Source of funds	
General fund	1,451,231
Special funds	572,936
Federal funds	809,608
Interdepartmental transfers	<u>7,715,697</u>
Total	10,549,472
Sec. B.710 Environmental conservation - air and waste management	
Personal services	19,437,340
Operating expenses	8,660,985
Grants	<u>5,076,000</u>
Total	33,174,325
Source of funds	
General fund	424,736
Special funds	22,886,187
Federal funds	9,613,852
Interdepartmental transfers	<u>249,550</u>
Total	33,174,325
Sec. B.711 Environmental conservation - office of water programs	
Personal services	21,732,819
Operating expenses	6,821,783
Grants	<u>32,104,881</u>
Total	60,659,483
Source of funds	
General fund	7,994,351
Special funds	19,641,195
Federal funds	31,935,599
Interdepartmental transfers	<u>1,088,338</u>
Total	60,659,483
Sec. B.713 Natural resources board	
Personal services	2,752,876
Operating expenses	<u>530,151</u>
Total	3,283,027
Source of funds	
General fund	637,074
Special funds	<u>2,645,953</u>
Total	3,283,027

Sec. B.714 Total natural resources

Source of funds	
General fund	29,608,969
Special funds	60,039,636
Fish and wildlife fund	9,236,567
Federal funds	54,971,917
Interdepartmental transfers	10,178,254
Permanent trust funds	<u>60,000</u>
Total	164,095,343

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

Personal services	2,013,794
Operating expenses	1,331,369
Grants	<u>352,627</u>
Total	3,697,790
Source of funds	
General fund	3,677,790
Interdepartmental transfers	<u>20,000</u>
Total	3,697,790

Sec. B.801 Economic development

Personal services	4,027,032
Operating expenses	1,102,979
Grants	<u>5,211,099</u>
Total	10,341,110
Source of funds	
General fund	4,942,394
Special funds	1,645,350
Federal funds	3,708,366
Interdepartmental transfers	<u>45,000</u>
Total	10,341,110

Sec. B.802 Housing & community development

Personal services	3,723,802
Operating expenses	779,039
Grants	<u>11,773,050</u>
Total	16,275,891
Source of funds	
General fund	2,753,913
Special funds	5,185,233
Federal funds	7,883,744

Interdepartmental transfers	<u>453,001</u>
Total	16,275,891
Sec. B.806 Tourism and marketing	
Personal services	1,321,226
Operating expenses	1,644,599
Grants	<u>121,880</u>
Total	3,087,705
Source of funds	
General fund	3,083,118
Interdepartmental transfers	<u>4,587</u>
Total	3,087,705
Sec. B.808 Vermont council on the arts	
Grants	<u>718,589</u>
Total	718,589
Source of funds	
General fund	<u>718,589</u>
Total	718,589
Sec. B.809 Vermont symphony orchestra	
Grants	<u>141,214</u>
Total	141,214
Source of funds	
General fund	<u>141,214</u>
Total	141,214
Sec. B.810 Vermont historical society	
Grants	<u>984,956</u>
Total	984,956
Source of funds	
General fund	<u>984,956</u>
Total	984,956
Sec. B.811 Vermont housing and conservation board	
Grants	<u>30,886,467</u>
Total	30,886,467
Source of funds	
Special funds	11,900,243
Federal funds	<u>18,986,224</u>
Total	30,886,467

Sec. B.812 Vermont humanities council

Grants	<u>217,959</u>
Total	217,959
Source of funds	
General fund	<u>217,959</u>
Total	217,959

Sec. B.813 Total commerce and community development

Source of funds	
General fund	16,519,933
Special funds	18,730,826
Federal funds	30,578,334
Interdepartmental transfers	<u>522,588</u>
Total	66,351,681

Sec. B.900 Transportation - finance and administration

Personal services	12,544,062
Operating expenses	2,898,007
Grants	<u>55,000</u>
Total	15,497,069
Source of funds	
Transportation fund	14,625,869
Federal funds	<u>871,200</u>
Total	15,497,069

Sec. B.901 Transportation - aviation

Personal services	3,714,895
Operating expenses	5,298,065
Grants	<u>231,676</u>
Total	9,244,636
Source of funds	
Transportation fund	4,749,136
Federal funds	<u>4,495,500</u>
Total	9,244,636

Sec. B.902 Transportation - buildings

Operating expenses	<u>907,746</u>
Total	907,746
Source of funds	
Transportation fund	<u>907,746</u>
Total	907,746

Sec. B.903 Transportation - program development

Personal services	53,367,048
Operating expenses	217,771,750
Grants	<u>27,258,553</u>
Total	298,397,351
Source of funds	
Transportation fund	41,894,979
TIB fund	11,835,572
Federal funds	244,272,581
Interdepartmental transfers	191,790
Local match	<u>202,429</u>
Total	298,397,351

Sec. B.904 Transportation - rest areas construction

Personal services	40,000
Operating expenses	<u>639,706</u>
Total	679,706
Source of funds	
Transportation fund	99,280
Federal funds	<u>580,426</u>
Total	679,706

Sec. B.905 Transportation - maintenance state system

Personal services	45,218,248
Operating expenses	48,430,691
Grants	<u>365,000</u>
Total	94,013,939
Source of funds	
Transportation fund	91,136,152
Federal funds	2,777,787
Interdepartmental transfers	<u>100,000</u>
Total	94,013,939

Sec. B.906 Transportation - policy and planning

Personal services	4,281,699
Operating expenses	894,939
Grants	<u>6,015,583</u>
Total	11,192,221
Source of funds	
Transportation fund	2,921,480
Federal funds	8,238,741
Interdepartmental transfers	<u>32,000</u>

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Total	11,192,221
Sec. B.907 Transportation - rail	
Personal services	5,252,055
Operating expenses	<u>29,683,296</u>
Total	34,935,351
Source of funds	
Transportation fund	18,237,032
TIB fund	760,000
Federal funds	15,019,569
Interdepartmental transfers	<u>918,750</u>
Total	34,935,351
Sec. B.908 Transportation - public transit	
Personal services	1,526,070
Operating expenses	165,372
Grants	<u>32,132,957</u>
Total	33,824,399
Source of funds	
Transportation fund	8,056,111
Federal funds	<u>25,768,288</u>
Total	33,824,399
Sec. B.909 Transportation - central garage	
Personal services	4,530,648
Operating expenses	<u>15,581,390</u>
Total	20,112,038
Source of funds	
Internal service funds	<u>20,112,038</u>
Total	20,112,038
Sec. B.910 Department of motor vehicles	
Personal services	21,561,929
Operating expenses	<u>11,588,772</u>
Total	33,150,701
Source of funds	
Transportation fund	31,657,492
Federal funds	1,345,934
Interdepartmental transfers	<u>147,275</u>
Total	33,150,701
Sec. B.911 Transportation - town highway structures	
Grants	<u>6,333,500</u>

Total	6,333,500
Source of funds	
Transportation fund	<u>6,333,500</u>
Total	6,333,500
Sec. B.912 Transportation - town highway local technical assistance program	
Personal services	357,757
Operating expenses	<u>48,550</u>
Total	406,307
Source of funds	
Transportation fund	106,307
Federal funds	<u>300,000</u>
Total	406,307
Sec. B.913 Transportation - town highway class 2 roadway	
Grants	<u>7,648,750</u>
Total	7,648,750
Source of funds	
Transportation fund	<u>7,648,750</u>
Total	7,648,750
Sec. B.914 Transportation - town highway bridges	
Personal services	3,239,423
Operating expenses	10,143,100
Grants	<u>451,328</u>
Total	13,833,851
Source of funds	
Transportation fund	1,304,648
TIB fund	701,815
Federal funds	10,887,721
Local match	<u>939,667</u>
Total	13,833,851
Sec. B.915 Transportation - town highway aid program	
Grants	<u>26,017,744</u>
Total	26,017,744
Source of funds	
Transportation fund	<u>26,017,744</u>
Total	26,017,744
Sec. B.916 Transportation - town highway class 1 supplemental grants	
Grants	<u>128,750</u>
Total	128,750

Source of funds	
Transportation fund	<u>128,750</u>
Total	128,750
Sec. B.917 Transportation - town highway: state aid for nonfederal disasters	
Grants	<u>1,150,000</u>
Total	1,150,000
Source of funds	
Transportation fund	<u>1,150,000</u>
Total	1,150,000
Sec. B.918 Transportation - town highway: state aid for federal disasters	
Grants	<u>180,000</u>
Total	180,000
Source of funds	
Transportation fund	20,000
Federal funds	<u>160,000</u>
Total	180,000
Sec. B.919 Transportation - municipal mitigation assistance program	
Operating expenses	204,000
Grants	<u>2,694,000</u>
Total	2,898,000
Source of funds	
Transportation fund	700,000
Special funds	770,000
Federal funds	<u>1,428,000</u>
Total	2,898,000
Sec. B.920 Transportation - public assistance grant program	
Operating expenses	500,000
Grants	<u>3,640,000</u>
Total	4,140,000
Source of funds	
Transportation fund	100,000
Special funds	640,000
Federal funds	3,000,000
Interdepartmental transfers	<u>400,000</u>
Total	4,140,000
Sec. B.921 Transportation board	
Personal services	246,347
Operating expenses	<u>35,844</u>

Total	282,191
Source of funds	
Transportation fund	<u>282,191</u>
Total	282,191
Sec. B.922 Total transportation	
Source of funds	
Transportation fund	258,077,167
TIB fund	13,297,387
Special funds	1,410,000
Federal funds	319,145,747
Internal service funds	20,112,038
Interdepartmental transfers	1,789,815
Local match	<u>1,142,096</u>
Total	614,974,250
Sec. B.1000 Debt service	
Operating expenses	<u>82,215,729</u>
Total	82,215,729
Source of funds	
General fund	78,088,324
Transportation fund	560,231
ARRA funds	1,069,511
TIB debt service fund	<u>2,497,663</u>
Total	82,215,729
Sec. B.1001 Total debt service	
Source of funds	
General fund	78,088,324
Transportation fund	560,231
ARRA funds	1,069,511
TIB debt service fund	<u>2,497,663</u>
Total	82,215,729
Sec. B.1100 [Deleted.]	
Sec. B.1100.1 [Deleted.]	
Sec. B.1101 [Deleted.]	
Sec. B.1102 [Deleted.]	
Sec. B.1103 [Deleted.]	

Sec. C.100 FISCAL YEAR 2019 ONE-TIME APPROPRIATIONS

(a) In fiscal year 2019, funds are appropriated from the General Fund and shall be carried forward as follows:

(1) To the Agency of Digital Services: \$500,000 of which \$200,000 is allocated for network device upgrades to enhance network safety and \$300,000 is allocated for a network assessment.

(2) To the Department of Buildings and General Services: \$500,000 for the purpose of installing electric vehicle charging stations at State facilities and to support the purchase of fully electric vehicles for the State motor pool.

(3) To the Legislature: \$20,000 to hire consultant services for upgrades to the legislature's software program's appointment database.

(4) To the State Treasurer: \$65,000 for a pension group membership study.

(5) To the Agency of Agriculture, Food and Markets: \$75,000 for a grant to the Vermont Housing and Conservation Board for federal rural development grant writing assistance in fiscal year 2020.

(6) To the Agency of Agriculture, Food and Markets: \$1,000,000 for grants to be awarded through the Vermont Working Lands program, pursuant to 6 V.S.A. chapter 207, subchapter 2, of which \$500,000 is allocated for grants to dairy farms to provide assistance to:

(A) diversify agricultural and value-added products produced on the farm; or

(B) implement agricultural practices that improve soil health and improve water quality.

(7) To the Agency of Agriculture, Food and Markets: \$50,000 for mosquito control, pursuant to 6 V.S.A. chapter 211.

(8) To the Agency of Agriculture, Food and Markets: \$50,000 for Farm to School nutrition initiatives.

(9) To the Agency of Human Services: \$100,000 for the study required in Sec. 12 of H.524 of 2019.

(10) To the Agency of Human Services: \$1,500,000 to fund grants for the development of an electronic medical/health records system for the State's Designated Agency system.

(A) Vermont Care Partners and the Agency of Human Services shall present a plan for review and approval by the Joint Fiscal Committee at its July 2019 meeting. The plan shall summarize the development and

implementation of the system and demonstrate that this project will support the goals set forth in the statewide Health Information Technology (HIT) Plan (defined in 18 V.S.A. § 9351) and meet, at a minimum, the connectivity requirements set forth in the statewide HIT plan and the requirements of the Centers for Medicaid Services (CMS). The plan shall support current payment reform initiatives and include the projected project timeline and total budget including the allocation of this appropriation. No funds shall be released prior to review and approval by the Joint Fiscal Committee.

(11) To the Department of Health for the Vermont Recovery Network: \$240,000 to be equally divided and granted directly to each of the 12 individual Recovery Centers.

(12) To the Department of Mental Health: \$60,000 for a grant to the Copeland Center for peer support services.

(13) To the Department of Mental Health: \$375,000 to provide one-time grant funding to Critical Access Hospitals, Brattleboro Memorial Hospital, and Northwest Medical Center to build capacity to provide supervision in their Emergency Departments for people under the care and custody of the Commissioner of Mental Health to ensure the safety of patients and hospital staff within compliance with federal regulations. The Department of Mental Health will monitor grantees' use of these funds to ensure utilization follows best practices related to patient safety and supervision. Grant funding will be allocated based upon historic utilization trends within available funding.

(14) To the Department for Children and Families: \$500,000 to fund LIHEAP administration for one year as the Department transitions to lower cost methods for administering this program. The Department shall evaluate the allocation methodology of the program and whether it is being administered efficiently.

(15) To the Department for Children and Families, Office of Economic Opportunity: \$100,000 for pass-through grants to the Community Action Agencies to provide funding for the regional Microbusiness Development Programs pursuant to 3 V.S.A. § 3722.

(16) To the Department for Children and Families: \$1,000,000 for grants to the Parent Child Centers for infrastructure improvements.

(A) the Department shall report to the General Assembly on the use of these grant funds, including the recipients, grant amount and infrastructure projects.

(17) To the Department for Children and Families: \$1,000,000 to the Child Development Division to begin implementation of the plan established pursuant to Sec. E.318.4 of this act regarding information systems.

(18) To the Department for Children and Families: \$600,000 to the Child Development Division for the following:

(A) \$300,000 to facilitate the implementation of the Council for Professional Regulation's Child Development Associate Credential curriculum in technical centers throughout the State. Any unused funds appropriated pursuant to this section shall be reserved to fund grants set forth in Sec. E.318.6 of this act for students who completed the Child Development Associate Credential at a Vermont technical center.

(B) \$300,000 for grants for incentivizing child care professionals consistent with Sec. E.318.5 of this act.

(19) To the Department for Children and Families, Woodside Rehabilitation Center: \$260,000 for costs associated with transitioning from a treatment facility to a detention facility.

(20) To the Department for Children and Families, Office of Economic Opportunity, Weatherization Assistance for bridge funding: \$1,300,000.

(21) To the Department of Disabilities, Aging and Independent Living: \$750,000. These funds shall be matched with federal Medicaid funds and expended in equal amounts over fiscal years 2020 through 2022. In each year these funds shall be for the statewide administration of the Support and Services at Home (SASH) program. The intent is for this portion of statewide administration funding to transition to the statewide ACO as additional Medicare covered lives are attributed to the ACO during this three-year period. These funds are in addition to other funding included in the Department's budget for SASH. The Department shall include a report on the SASH statewide administration with the fiscal year 2021 budget presentation.

(22) To the Department of Labor: \$70,000 to design a coordinated plan for an integrated postsecondary career and technical education system and to provide services and support for New Americans pursuant to requirements enacted during the 2019 legislative session.

(23) To the Vermont State Colleges: \$200,000 for Vermont Technical College to design and pilot Associates Degree Programs consistent with the provisions of H.533, Sec. 17 of 2019. Any program designed and implemented pursuant to this subdivision subsequent to the pilot, shall not be funded by the General Fund.

(24) To the Vermont State Colleges: \$500,000 which is intended as bridge funding to permit the Vermont State Colleges in collaboration with the University of Vermont to develop comprehensive strategies to increase retention and graduation rates pursuant to Secs. E.603.1 and E.603.2 of this act.

(25) To the Vermont State Colleges: \$120,000. The Vermont State Colleges shall be the repository for the Burlington College student records.

(26) To the Vermont Student Assistance Corporation: \$500,000 to be administered in a manner that is consistent with both the existing advancement grants program and the one-time nature of this appropriation.

(27) To the Department of Forests, Parks and Recreation: \$100,000 for supplemental funding for the Vermont Outdoor Recreation Economic Collaborative grants awarded in fiscal year 2020.

(28) To the Department of Forests, Parks and Recreation: \$120,000 for logger safety and value-added forest products initiatives as follows:

(A) To support the costs of a request for proposal to develop at least three course curriculums and associated training materials for an accident prevention and safety training program for logging contractors.

(B) Grants for the purposes of providing financial assistance to reduce the total cost of the following programs for loggers:

(i) to the Vermont Logger Education to Advance Professionalism (LEAP) program for the purpose of providing financial assistance to logging contractors to reduce the total costs of logger safety training or continuing education in logger safety; and

(ii) to the Trust to Conserve Northeast Forestlands for the purpose of cost-sharing in the certification of logging contractors in the Master Logger program.

(C) To provide grant funds of up to \$10,000 to applicants engaged in adding value to forest products within the State. These grants shall be used by the applicant to pay for expenses associated with State and local permit application costs, project consultation costs, engineering and siting costs, and expert witness analysis and testimony necessary for permitting.

(29) To the Agency of Commerce and Community Development: \$25,000 to issue as a grant for the commissioning ceremony of the USS Vermont.

(30) To the Agency of Commerce and Community Development: \$1,725,000 to fund the economic development initiatives pursuant to the provisions of H.533 of 2019.

(31) To the Department of Labor: \$275,000 to fund initiatives pursuant to the provisions of H.533 of 2019.

(32) To the Vermont Council on the Arts: \$5,000 to provide matching funds from the National Endowment for the Arts.

(33) To the Vermont Housing and Conservation Board: \$500,000 for acquisition of land that is of statewide importance.

(b) In fiscal year 2019, funds are appropriated from the AG-Fees & Reimbursements-Court Order Fund (special fund number 21638) as follows:

(1) To the Attorney General: \$250,000. This appropriation shall carry forward for use in fiscal year 2020.

(2) To the Agency of Transportation: \$1,700,000 for vehicle incentive and emissions repair programs.

(c) In fiscal year 2019, \$400,000 is appropriated from the Evidence-Based Education and Advertising Fund (special fund number 21912) to the Department of Health for the Substance Misuse Prevention Advisory Council. A portion of these funds may be used for analysis and planning including an inventory of direct substance misuse prevention funding currently allocated in the State budget. The remaining funds shall be used to implement the comprehensive statewide substance misuse prevention plan developed by the Council.

Sec. C.101 FISCAL YEAR 2019 ONE-TIME FUND TRANSFER

(a) In fiscal year 2019, funds are transferred from the General Fund as follows:

(1) \$948,271 to the Emergency Relief and Assistance Fund, established in 20 V.S.A. § 45(c).

Sec. C.102 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. D.101 as amended by 2019 Acts and Resolves No. 6, Sec. 56 is further amended to read:

Sec. D.101 FUND TRANSFERS, REVERSIONS, AND RESERVES

* * *

(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	<u>4,488,000.00</u>
21928	Secretary of State Services Fund		2,607,923.00
62100	Unclaimed Property Fund	2,978,680.00	<u>4,178,680.00</u>

* * *

(e) The following General Fund amount shall be reserved for appropriation or transfer in the fiscal year 2020 budget: ~~\$9,815,000~~ \$850,000.

Sec. C.102.1 CONTINGENT TRANSFERS

(a) In fiscal year 2019, of the unreserved and undesignated end of fiscal year General Fund surplus remaining after satisfying the requirements of 32 V.S.A. § 308, notwithstanding 32 V.S.A. § 308c:

(1) First: fifty percent shall be transferred from the General Fund to the Vermont State Employees' Postemployment Benefits Trust Fund established by 3 V.S.A. § 479a;

(2) Second: an amount of \$9,400,000 shall be transferred to the AHS Federal Receipts Holding Account; and

(3) Third: any remaining unreserved and undesignated end of fiscal year General Fund surplus shall be reserved in the General Fund Balance Reserve.

Sec. C.102.2 FISCAL YEAR 2019; SECRETARY OF STATE FUND BALANCE

(a) Notwithstanding 3 V.S.A. § 118(a), at the close of fiscal year 2019, the amount of \$2,607,923 shall be transferred to the General Fund pursuant to Sec. D.101 as amended by Sec. C.102 of this act. After this transfer, up to \$200,000 of any balance in the Secretary of State Services Fund number 21928, shall be appropriated and used by the Secretary of State for funding the interactive Business Portal (BizPortal) to facilitate planning and implementation for an improved process for regulatory compliance with the State.

Sec. C.103 FISCAL YEAR 2019 TOBACCO LITIGATION SETTLEMENT
FUND TRANSFER AND YEAR END BALANCE

(a) Notwithstanding 18 V.S.A. chapter 225, \$1,500,000 is transferred from the Tobacco Litigation Settlement Fund to the General Fund in fiscal year 2019.

(b) Notwithstanding 18 V.S.A. § 9502(b), the actual balances at the end of fiscal year 2019 in the Tobacco Litigation Settlement Fund established by 32 V.S.A. § 435a shall remain in the Fund.

Sec. C.104 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.125 is amended to read:

Sec. B.125 Legislative council

Personal services	4,063,930	4,168,930
Operating expenses	<u>827,857</u>	<u>827,857</u>
Total	4,891,787	4,996,787
Source of funds		
General fund	<u>4,891,787</u>	<u>4,996,787</u>
Total	4,891,787	4,996,787

Sec. C.105 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.126 is amended to read:

Sec. B.126 Legislature

Personal services	4,091,578	3,921,578
Operating expenses	<u>3,809,338</u>	<u>3,809,338</u>
Total	7,900,916	7,730,916
Source of funds		
General fund	<u>7,900,916</u>	<u>7,730,916</u>
Total	7,900,916	7,730,916

Sec. C.106 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.127 is amended to read:

Sec. B.127 Joint fiscal committee

Personal services	1,696,568	1,746,568
Operating expenses	<u>159,358</u>	<u>159,358</u>
Total	1,855,926	1,905,926
Source of funds		
General fund	<u>1,855,926</u>	<u>1,905,926</u>
Total	1,855,926	1,905,926

Sec. C.107 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.128 is amended to read:

Sec. B.128 Sergeant at arms

Personal services	<u>737,216</u>	752,216
Operating expenses	<u>68,612</u>	<u>68,612</u>
Total	<u>805,828</u>	820,828
Source of funds		
General fund	<u>805,828</u>	<u>820,828</u>
Total	<u>805,828</u>	820,828

Sec. C.108 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.503 is amended to read:

Sec. B.503 Education - state-placed students

Grants	<u>15,700,000</u>	<u>20,400,000</u>
Total	<u>15,700,000</u>	20,400,000
Source of funds		
Education fund	<u>15,700,000</u>	<u>20,400,000</u>
Total	<u>15,700,000</u>	20,400,000

Sec. C.108.1 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.507 is amended to read:

Sec. B.507 Education - small school grants

Grants	<u>7,600,000</u>	<u>7,800,000</u>
Total	<u>7,600,000</u>	7,800,000
Source of funds		
Education fund	<u>7,600,000</u>	<u>7,800,000</u>
Total	<u>7,600,000</u>	7,800,000

Sec. C.109 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.516 as amended by 2019 Acts and Resolves No. 6, Sec. 40 is further amended to read:

Sec. B.516 Total general education

Source of funds

General fund	136,968,810	136,968,810
Special funds	19,483,091	19,483,091
Tobacco fund	750,388	750,388
Education fund	<u>1,650,519,334</u>	<u>1,655,419,334</u>
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	1,958,248,795	1,963,148,795
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Sec. C.110 2018 (Sp. Session) Acts and Resolves No. 11, Sec. B. 514 is amended to read:

Sec. B.514 State teachers' retirement system

Grants	<u>99,940,777</u>	<u>100,440,777</u>
Total	<u>99,940,777</u>	<u>100,440,777</u>
Source of funds		
General fund	<u>92,241,519</u>	<u>92,741,519</u>
Education fund	<u>7,699,258</u>	<u>7,699,258</u>
Total	<u>99,940,777</u>	<u>100,440,777</u>

Sec. C.111 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. B.515 is amended to read:

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

Grants	<u>31,639,205</u>	<u>31,139,205</u>
Total	<u>31,639,205</u>	<u>31,139,205</u>
Source of funds		
General fund	<u>31,639,205</u>	<u>31,139,205</u>
Total	<u>31,639,205</u>	<u>31,139,205</u>

Sec. C.112 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.514 is amended to read:

Sec. E.514 State teachers' retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers' Retirement System (STRS) shall be \$105,640,777 of which ~~\$99,940,777~~ \$100,440,777 shall be the State's contribution and ~~\$5,700,000~~ \$5,200,000 shall be contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

* * *

Sec. C.113 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.515 is amended to read:

Sec. E.515 Retired teachers' health care and medical benefits

(a) In accordance with 16 V.S.A. § 1944b(b)(2), ~~\$31,639,205~~ \$31,139,205 will be contributed to the Retired Teachers' Health and Medical Benefits Fund.

Sec. C.114 2017 Acts and Resolves No. 69, Sec. C.1 is amended to read:

Sec. C.1. THE GREEN MOUNTAIN SECURE RETIREMENT PLAN

(a) The State of Vermont shall, consistent with federal law and regulation, ~~adopt design~~ and implement a voluntary ~~Multiple Employer Plan (MEP)~~ ERISA-covered public retirement plan, employing a multiple employer plan or aggregated single employer plans, which shall remain in compliance with federal law and regulations once implemented, and shall be called the “Green Mountain Secure Retirement Plan.”

* * *

(c) The Plan shall:

* * *

(2) automatically enroll all employees of employers that choose to participate ~~in the MEP;~~

(3) allow employees the option of withdrawing their enrollment and ending their participation ~~in the MEP;~~

* * *

~~(d) The State of Vermont shall implement the “Green Mountain Secure Retirement Plan” on or before January 15, 2019, based on the recommendations of the Public Retirement Plan Study Committee as set forth in 2016 Acts and Resolves No. 157, Sec. F.1.~~

Sec. C.115 SPECIAL FUND APPROPRIATION FOR TAX COMPUTER SYSTEMS

(a) In fiscal year 2019, \$10,000,000 is appropriated to the Department of Taxes from the Tax Computer System Modernization Special Fund established pursuant to 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, and as further amended by 2019 Acts and Resolves No. 6, Sec. 102. This appropriation shall carry forward through fiscal year 2022.

Sec. C.116 2019 Acts and Resolves No. 6, Sec. 88 is amended to read:

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:

* * *

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

(A) ~~\$250,000 to be reserved to fund contracted 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.~~

(i) The Joint Fiscal Office is authorized to enter into a direct contract with the University of Vermont in lieu of a bid process. In the event that such a contract takes place, the payments shall be made in intervals of: twenty-five percent (25%) upon signing; thirty percent (30%) to be paid after approval of a final work plan by the Chairs of the House and Senate Committees on Appropriations, the House Committee on Human Services, and the Senate Committee on Health and Welfare Committee; thirty percent (30%) on agreed upon mid-contract term project status report or presentation; and fifteen percent (15%) upon report completion and presentation to the Legislature on or before January 30, 2020.

(ii) The Agency of Human Services and the Department for Children and Families shall execute memoranda and provide available data in a reasonably timely fashion and in a manner consistent with any State and federal requirements as needed for this research project.

(B) ~~\$25,000 to be reserved to fund, contracted services if necessary as determined by the Joint Fiscal Committee, a direct contract with the Council of State Governments Justice Center for a report to the General Assembly on or before December 15, 2019 on research and findings related to:~~

(i) developing and implementing a systems-level, data-driven plan to reduce the number of people with mental illnesses who are detained or incarcerated; or

(ii) developing a comprehensive approach to expungement and sealing of criminal history records to help individuals with a criminal record overcome barriers to employment and licensing through clearing their records; or

(iii) Vermont's population of incarcerated women, including the types of offenses and risk of reoffense for which this population is incarcerated and alternatives to incarceration available to this population to assist the State in its planning for correctional facilities; or

(iv) 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.

* * *

Sec. C.117 LOAN AUTHORIZATION AND FUNDING SOURCE

(a) Up to \$1,000,000 of the funds appropriated in 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.1000(a)(14) may be used in fiscal year 2019 for a bridge loan to Springfield Hospital. Repayment of these funds either through direct payment or withheld Medicaid claims shall be deposited into the General Fund.

Sec. D.100 APPROPRIATIONS; PROPERTY TRANSFER TAX

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

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

(2) The sum of \$10,804,840 is appropriated from the Vermont Housing and Conservation Trust Fund to the Vermont Housing and Conservation Board (VHCB). Notwithstanding 10 V.S.A. § 312, amounts above \$10,804,840 from the property transfer tax and surcharge established by 32 V.S.A. § 9602a that are deposited into the Vermont Housing and Conservation Trust Fund shall be transferred into the General Fund.

(A) The dedication of \$2,500,000 in revenue from the property transfer tax pursuant to 32 V.S.A. § 9610(d) for the debt payments on the affordable housing bond (10 V.S.A. § 314) is to be offset by the reduction of \$1,500,000 in the appropriation to the VHCB and \$1,000,000 from the surcharge established by 32 V.S.A. § 9602a. The fiscal year 2020 appropriation of \$10,804,840 to VHCB reflects the \$1,500,000 reduction. The affordable housing bond and related property transfer tax and surcharge

provisions are repealed after the life of the bond on July 1, 2039. Once the bond is retired, the \$1,500,000 reduction in the appropriation to VHCB is intended to be restored.

(3) The sum of \$3,760,599 is appropriated from the Municipal and Regional Planning Fund. Notwithstanding 24 V.S.A. § 4306(a), amounts above \$3,760,599 from the property transfer tax that are deposited into the Municipal and Regional Planning Fund shall be transferred into the General Fund. The \$3,760,599 shall be allocated as follows:

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

(B) \$457,482 for disbursement to municipalities in a manner consistent with 24 V.S.A. § 4306(b);

(C) \$378,700 to the Agency of Digital Services for the Vermont Center for Geographic Information established in 10 V.S.A. § 122.

Sec. D.101 FUND TRANSFERS AND REVERSIONS

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

(1) From the Clean Water Fund established by 10 V.S.A. § 1388 to the following:

(A) Agricultural Water Quality Special Fund created under 6 V.S.A. § 4803: \$3,255,000.

(B) Lake in Crisis Response Program Fund created under 10 V.S.A. § 1315: \$50,000.

(2) From the Transportation Fund to the Downtown Transportation and Related Capital Improvement Fund established by 24 V.S.A. § 2796 to be used by the Vermont Downtown Development Board for the purposes of the Fund: \$423,966.

(3) From the Transportation Infrastructure Bond Fund established by 19 V.S.A. § 11f to the Transportation Infrastructure Bonds Debt Service Fund established by 32 V.S.A. § 951a for funding fiscal year 2021 transportation infrastructure bonds debt service: \$2,502,613.

(b) Notwithstanding any provisions of law to the contrary, in fiscal year 2020:

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

<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>15,874,593.00</u>
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<u>50300</u>	<u>Liquor Control Fund</u>	<u>1,805,000.00</u>
<u>62100</u>	<u>Unclaimed Property Fund</u>	<u>2,505,143.00</u>
	<u>Caledonia Fair</u>	<u>5,000.00</u>
	<u>North Country Hospital Loan</u>	<u>24,250.00</u>

(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 2020. 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.

<u>21638</u>	<u>AG-Fees & Reimbursements-Court Order</u>	<u>2,000,000.00</u>
<u>21928</u>	<u>Secretary of State Services Fund</u>	<u>2,032,817.00</u>

(3) In fiscal year 2020, notwithstanding 2016 Acts and Resolves No. 172, Sec. E.228, \$32,455,763 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 2020:

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

<u>1210001000</u>	<u>Legislative Council</u>	<u>75,000.00</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>

**Sec. D.101.1 FISCAL YEAR 2020 CONTINGENT TRANSFER FROM
GENERAL FUND TO RETIRED TEACHERS' HEALTH
AND MEDICAL BENEFITS FUND**

(a) If the available General Fund forecast adopted by the Emergency Board in July 2019 for fiscal year 2020 (the "adopted forecast"), including the amount shifted into the General Fund from the merger with the Health Care Resources Fund, is greater than \$1,587,000,000 the Commissioner of Finance and Management shall transfer 100 percent of the amount over \$1,587,000,000 to the Retired Teachers' Health and Medical Benefits Fund established by 16 V.S.A. § 1944b.

(b) Subsection (a) of this section is designed and intended to provide an estimated \$20,000,000 for the fiscal year 2020 budget adjustment or other fiscal pressures in the fiscal year 2020 budget. Given this intent, the Emergency Board shall review the fiscal year 2020 available General Fund forecast and shall make any adjustments needed to the transfer authorized in subsection (a) of this section to accomplish this intent.

Sec. D.102 [Deleted.]

Sec. D.103 [Deleted.]

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

(c) The Human Services Caseload Reserve shall contain two sub-accounts:

(1) A sub-account for incurred but not reported Medicaid expenses. Each year beginning with fiscal year 2020, the Department of Finance and Management shall adjust the amount reserved for incurred but not reported Medicaid expenses to equal the amount specified in the most recently completed Comprehensive Annual Financial Report as of June 30th of the prior fiscal year for the estimated amount of incurred but not reported Medicaid expenses associated with the current Medicaid Global Commitment waiver.

* * * GENERAL GOVERNMENT * * *

Sec. E.100 EXECUTIVE BRANCH POSITION AUTHORIZATIONS

(a) The establishment of the following permanent classified positions is authorized in fiscal year 2020:

(1) In the Department for Children and Families' Family Services Division – seven (7) Family Services Worker, one (1) Family Services Supervisor, and three (3) Resource Coordinator.

(2) In the Department of Disabilities, Aging, and Independent Living – one (1) Director of Deaf, Hard of Hearing, and DeafBlind Services.

(b) The establishment of the following permanent exempt position is authorized in fiscal year 2020:

(1) In the Department for Children and Families' Family Services Division – one (1) Assistant Attorney General to fill the position of a staff attorney.

(c) The conversion of classified limited service positions to classified permanent status is authorized in fiscal year 2020 as follows:

(1) In the Office of the Attorney General – one (1) Legal Assistant II (position #190071), two (2) Medicaid Analyst (position #190076 and

#190080).

(d) The conversion of exempt limited service positions to exempt permanent status is authorized in fiscal year 2020 as follows:

(1) In the Office of the Attorney General – one (1) Assistant Attorney General (position #197053), two (2) Legal Division Chief (position #197054 and #197055) and one (1) Senior Assistant Attorney General (position #197059).

(e) The positions established in subsections (a) and (b) of this section shall be transferred and converted from existing vacant positions in the Executive Branch and shall not increase the total number of authorized State positions, as defined in Sec. A.107 of this act.

Sec. E.100.1 [Deleted.]

Sec. E.101 [Deleted.]

Sec. E.106 DETERMINATION OF PARAMETERS FOR THE
ESTABLISHMENT OF SPECIAL FUNDS AND SPECIAL
FUND REVIEW

(a) The Commissioner of Finance and Management, in consultation with the Legislative Joint Fiscal Office and with the assistance of the Office of Legislative Council, shall consider and make recommendations to the General Assembly regarding the circumstances under which a new special fund should be established and the parameters to which the new special fund should adhere.

(b) The Commissioner shall review existing special funds to determine if they are still viable and, if not, whether they should be eliminated.

(c) The Commissioner, in consultation with the Legislative Joint Fiscal Office shall develop a common multiyear reporting format for special funds and shall identify a group of funds to be presented in this format for the period of fiscal year 2016 through fiscal year 2019.

Sec. E.111 Tax – administration/collection

(a) Of this appropriation, \$15,000 is from the Current Use Administration Special Fund established by 32 V.S.A. § 9610(c) and shall be appropriated for programming changes to the CAPTAP software used by municipalities for establishing property values and administering their grand lists.

Sec. E.112 2015 Acts and Resolves No. 58, Sec. E.112 is amended to read:

Sec. E.112 ENERGY EFFICIENCY; STATE BUILDINGS AND
FACILITIES

* * *

(b) Notwithstanding any provision of Title 30 of the Vermont Statutes Annotated, Public Service Board order, or other provision of law to the contrary:

(1) The Department and Efficiency Vermont (EVT) shall augment the Program for a preliminary period of ~~four~~ eight years commencing in fiscal year 2016 under which EVT shall provide the Department with support for the Program to deliver cost-effective energy efficiency and conservation measures to State buildings and facilities. The Department and EVT may agree to continue conducting this augmented Program in subsequent fiscal years, after considering recommendations for improvement based on evaluation of the preliminary period.

* * *

(2) In addition to the requirements of subdivision (1) of this ~~section~~ subsection, the project shall include provision by EVT of support for personnel to implement the Program during fiscal years 2016 to ~~2019~~ 2023.

* * *

(B) Under this subdivision (2), EVT shall provide up to \$290,000 during fiscal year 2016. For the remaining ~~three~~ seven fiscal years, EVT shall provide an additional amount sufficient to support annual salary and benefit adjustments. These funds shall be received in the Facilities Operations Fund established in 29 V.S.A. § 160a, and may be spent using excess receipts authority.

(3) The Public Service Board shall adjust any performance measures applicable to EVT to recognize the requirements of this section.

(c) The Department and EVT shall execute a new or amended memorandum of understanding to implement this section, which shall include targets for future energy savings, a process for determining how savings targets are met, and details of EVT's commitment for personnel over a ~~four~~ an eight-year time period.

(d) On or before October 1 of each year commencing in 2016 and ending in ~~2019~~ 2023, the Department and EVT shall provide a joint report on the implementation of this section.

* * *

(5) The report to be submitted in 2019 and in 2023 shall contain an evaluation of the Program authorized under this section and any resulting recommendations, including recommendations related to Program continuation beyond 2023.

* * *

Sec. E.113 Buildings and general services – engineering

(a) The \$3,583,423 interdepartmental transfer in this appropriation shall be from the fiscal year 2020 General Bond Fund appropriation in the Capital Bill of the 2019 legislative session.

Sec. E.124 32 V.S.A. § 306 is amended to read:

§ 306. BUDGET REPORT

(a) The Governor shall submit to the General Assembly, not later than the third Tuesday of every annual session, a budget which shall embody his or her estimates, requests, and recommendations for appropriations or other authorizations for expenditures from the State Treasury. In the first year of the biennium, the budget shall relate to the two succeeding fiscal years. In the second year of the biennium, it shall relate to the succeeding fiscal year. The budget shall be based upon the official State revenue estimates, including the Medicaid estimated caseloads and per-member per-month expenditures, adopted by the Emergency Board pursuant to section 305a of this title.

(1) The As part of the budget report, the Governor shall:

(A) develop and publish annually for public review as part of the budget report a current services budget, providing the public with an estimate of what the current level of services is projected to cost in the next fiscal year;

(B) provide an estimated cost of deferred infrastructure maintenance in the State's transportation system; and

(C) itemize current services liabilities, including the total obligations and the amount estimated for full funding in the current year in which an amortization schedule exists. These shall include the following liabilities projected for the start of the budget fiscal year:

(i) pension liabilities for the Vermont State Employees' Retirement System (VSERS) and the Vermont State Teachers' Retirement System (VSTRS), and other postemployment benefit liabilities under current law and relevant Government Accounting Standards Board standards for these systems;

(ii) child care fee scale funding requirements pursuant to 33 V.S.A. § 3512 to bring total year funding to current market rates and current federal poverty levels;

(iii) Reach Up funding full benefit obligations, including the standard of need for the current fiscal year, prior to any rateable reductions made pursuant to 33 V.S.A. §1103(a), which ensure that the expenditures for the programs shall not exceed appropriations;

(iv) statutory funding levels from the Property Transfer Tax;

(v) projected fund liabilities of the funds identified in the “Notes” section of the most recent Comprehensive Annual Financial Report (CAFR), including the Workers’ Compensation Fund, the State Liability Insurance Fund, the Medical Insurance Fund, and the Dental Insurance Fund; and

(vi) a summary of other nonmajor enterprise funds and internal service funds where deficits exist in excess of \$1,500,000.

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

* * *

Sec. E.126 2 V.S.A. chapter 14 is added to read:

CHAPTER 14. JOINT LEGISLATIVE MANAGEMENT COMMITTEE

§ 451. CREATION OF COMMITTEE: PURPOSE

(a) Creation. There is created the Joint Legislative Management Committee. The Committee shall provide general oversight and management across the offices of the General Assembly and administrative services to the legislative offices and the legislature.

(b) Membership. The Committee shall be composed of the following members:

(1) four members of the House, which shall include representatives of the Legislative Council Committee, the Joint Fiscal Committee, and the Rules Committee, and shall consist of:

(A) the Speaker of the House; and

(B) three members of the House appointed by the Speaker, not all from the same political party, and

(2) four members of the Senate, which shall include representatives of the Legislative Council Committee, the Joint Fiscal Committee, and the Rules Committee, and shall consist of:

(A) the President Pro Tempore; and

(B) three members of the Senate appointed by the Committee on Committees, not all from the same political party.

(c) Members shall serve a term of two years or until their successors are appointed. The term of a member shall end upon his or her ceasing to be a member of the General Assembly.

(d) Interim vacancies may be filled by appointment by the Committee on Committees or the Speaker of the House in the same manner as in subsection (b) of this section.

(e) Initial appointments shall be made upon passage of this act, with initial terms concluding at the time new appointments to the Committee are made in January 2021.

(f) Subsequent appointments shall be made biennially at the same time as standing committees.

(g) The Committee shall meet immediately following the appointment of its membership to elect a chair and a vice chair and to organize and conduct its business. The Committee may meet as often as it deems necessary and a majority of the members shall constitute a quorum for the transaction of business. Meetings may be called by the Chair or by a majority of the members.

(h) For attending a meeting of Committee when he or she is not receiving compensation as a member of the General Assembly, a member of the Committee shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of standing committees under section 406 of this title.

Sec. E.126.1 JOINT LEGISLATIVE MANAGEMENT COMMITTEE;
INITIAL DUTIES IN 2019

(a) The Joint Legislative Management Committee, established pursuant to 2 V.S.A. § 451, shall consider and recommend the most appropriate organization, structure, and oversight of the staff and staff offices of the General Assembly. The Committee shall:

(1) Consider the recommendations contained in the National Conference of State Legislatures (NCSL) "Vermont General Assembly Legislative Branch Workforce Comparative Evaluation" March 2019 report.

(2) Consult with and consider the recommendations of:

(A) the Joint Fiscal Committee;

- (B) the Legislative Council Committee;
- (C) the Legislative Information Technology Committee;
- (D) the Joint Rules Committee;
- (E) the Chief Fiscal Officer, Director and Chief Counsel, House Clerk, Senate Secretary, and Sergeant at Arms;
- (F) supervisors and employees of every staff office as the Committee deems appropriate;
- (G) members of the General Assembly as the Committee deems appropriate; and
- (H) any other person the Committee deems appropriate.

(b) Report. On or before November 1, 2019, the Committee shall submit to the General Assembly a written report setting forth detailed recommendations concerning the most appropriate organization, structure, and oversight of the staff and staff offices of the General Assembly.

(c) The report shall contain draft statutory language and draft budgetary changes necessary to implement the recommendations set forth in the Committee's report.

(d) Assistance. In carrying out the duties set forth in this section, the Committee shall have the assistance and support of the Joint Fiscal Office, the Office of Legislative Council, and the Sergeant at Arms.

Sec. E.126.2 LEGISLATIVE BRANCH POSITIONS

(a) Legislature: The establishment of two (2) new permanent exempt Legislative Staff positions is authorized within the legislature in fiscal year 2020. The position titles will be determined by the Joint Legislative Management Committee.

(b) Joint Fiscal Office: The establishment of one (1) new permanent exempt Administrative Research Assistant position is authorized within the legislative Joint Fiscal Office in fiscal year 2020.

Sec. E.126.3 JOINT LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE; 2019 LEGISLATIVE INTERIM

(a) During the 2019 legislative interim, the Joint Legislative Justice Oversight Committee shall consider the following criminal justice reform strategies as part of an effort that will be called Justice Reinvestment II. These policies should be pursued in order to create a smarter criminal justice system that prevents avoidable incarceration, returns people to communities without

risking public safety, and reduces or eliminates the need for out-of-state prison placements or new prison bed capacity in Vermont:

- (1) furlough reform, including the possible elimination of furlough;
- (2) management of the detainee population;
- (3) sentencing reforms, including the possible elimination of weekend and nighttime sentences, and the possible elimination of community work crew in favor of restorative justice and reentry planning;
- (4) expansion of restorative justice programs including diversion and community justice centers;
- (5) establishment of new transitional housing facilities and services to reintegrate offenders into the community;
- (6) establishment of new treatment-centered facilities as an alternative to incarceration for certain drug and DUI offenses;
- (7) parole reform, including presumptive parole and the role of the parole board; and
- (8) the release of offenders for whom community-based treatment and services would be more appropriate.

(b) The Committee should utilize the expertise of the Justice Center of the Council on State Governments to the maximum extent possible, and shall report any recommendations in the form of proposed legislation to the General Assembly on or before December 15, 2019.

Sec. E.127 2 V.S.A. § 501(a) is amended to read:

(a) There is created a Joint Fiscal Committee whose membership shall be appointed ~~at the beginning~~ on or before January 15 of each biennial session of the General Assembly. The Committee shall consist of five Representatives and five Senators as follows:

* * *

Sec. E.127.1 2 V.S.A. § 503 is amended to read:

§ 503. FUNCTIONS

* * *

(b) The Joint Fiscal Committee shall:

(1) furnish research services and secretarial services of a fiscal nature to the House and Senate Committees on Appropriations, the Senate Committee on Finance, the House Committee on Ways and Means, the House and Senate Committees on Transportation, and the Joint Fiscal Committee;

(2) carry on a continuing review of the fiscal operations of the State, including revenues, budgeting, and expenditures;

(3) accept grants and approve any related limited service positions, gifts, loans, or any other thing of value, approved by the Governor, under the provisions of 32 V.S.A. § 5, when the General Assembly is not in session; and

* * *

Sec. E.127.2 32 V.S.A. § 5 is amended to read:

§ 5. ACCEPTANCE OF GRANTS

(a) No Definitions. As used in this section:

(1) “Loan” means a loan that is interest free or below market value.

(2) “State agency” means an Executive Branch agency, department, commission, or board.

(b) Executive Branch approval.

(1) Approval required. A State agency shall not accept the original of any grant, gift, loan, or any sum of money, or thing of value ~~may be accepted by any agency, department, commission, board, or other part of State government~~ except as follows:

(A) the State agency is granted approval pursuant to this subsection;

or

(B) Joint Fiscal Committee policies adopted pursuant to subsection (e) of this section do not require a State agency to obtain approval.

(2) Governor review.

~~(1) All such items must be submitted to the~~ The Governor who shall review each grant, gift, loan, or any sum of money, or thing of value and shall send a copy of the approval or rejection to the Joint Fiscal Committee through the Joint Fiscal Office together with the following information with respect to said these items:

(A) the source of the grant, gift, or loan and value;

(B) the legal and referenced titles of the grant, title, in the case of a grant;

(C) the costs, direct and indirect, for the present and future years related to such a grant;

(D) the receiving department and/or program which will utilize the grant, or both;

(E) a brief statement of purpose; and

(F) any impact on existing programs if ~~grant there is not accepted a~~
rejection.

~~(2)~~(3) Legislative review.

(A) The Governor's approval in subdivision (b)(2) of this section
shall be final ~~unless~~ except as follows:

(i) When the General Assembly is not in session, within 30 days
of receipt of such information the copy of an approval and related information
required under subdivision (b)(2) of this section, a member of the Joint Fiscal
Committee requests such grant, gift, loan, sum of money, or thing of value be
placed on the Committee's agenda of the Joint Fiscal Committee;² or,

(ii) when the General Assembly is in session, within 30 days of
receipt of the copy of an approval and related information required under
subdivision (b)(2) of this section, a member of the Committee requests that
such grant, gift, loan, sum of money, or thing of value be held for legislative
approval. If a copy of an approval and related information is received when
the General Assembly is in session, but before the members of the Joint Fiscal
Committee are appointed, one of the statutorily appointed members of the
Committee may request to hold a grant for legislative approval. Legislative
approval under this subdivision may be granted by legislation or resolution.

(B) In the event of such a request to hold a grant made pursuant to
subdivision (3) of this subsection, the grant shall not be accepted until
approved by the Joint Fiscal Committee or the Legislature General Assembly.

(C) The 30-day period described in subdivision (3)(A)(i) of this
subsection may be reduced where expedited consideration is warranted in
accordance with adopted Joint Fiscal Committee policies adopted pursuant to
subsection (e) of this section.

~~(D) During the legislative session~~ Upon receipt of the copy of an
approval and related information required under subdivision (b)(2) of this
section while the General Assembly is in session, the Joint Fiscal Committee
shall promptly file a notice with the House and Senate Clerks for publication
in the respective calendars of any grant approval requests that are submitted by
the administration.

~~(3)~~(4) Exceptions.

(A) General. This ~~The~~ review and approval process set forth in
subsection (b) of this section shall not apply to the following items, if the
acceptance of those items will not incur additional expense to the State or
create an ongoing requirement for funds, services, or facilities:

(i) ~~the acceptance of grants, gifts, donations, loans, sums of money, or other things of value with a value of \$5,000.00~~ \$15,000.00 or less, if the acceptance of those items will not incur additional expense to the State or create an ongoing requirement for funds, services, or facilities; or

(ii) ~~the acceptance by the Department of Forests, Parks and Recreation and the Department of Fish and Wildlife of grants, gifts, donations, loans, or other things of value with a value of \$15,000.00 or less; or~~

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

(B)(i) Notification required. The receiving agency shall promptly notify the Secretary of Administration and Joint Fiscal Office shall be promptly notified of the source, value, and purpose of any items received under this subdivision; provided, however, that no notification is required for an item received under this subdivision with a value of less than \$1,500.00.

(ii) The Joint Fiscal Office shall report all such items received under this subdivision to the Joint Fiscal Committee quarterly. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subdivision.

(4)(5) Transportation. With respect to acceptance of the original of a federal transportation earmark or of a discretionary federal grant for a transportation project, the provisions of subdivisions subdivision (1) and (2) of this subsection shall apply, except that in addition:

(A) notification of the Governor's approval or rejection shall also be made to the Chairs of the House and Senate Committees on Transportation; and

(B) such grant or earmark shall be placed on the agenda, and shall be subject to the approval, of a committee comprising the Joint Fiscal Committee and the Chairs of the House and Senate Committees on Transportation, if one of the Chairs or a member of the Joint Fiscal Committee so requests.

(c) Legislative and Judicial Branch approval.

(1) Approval required. The Legislative and Judicial Branches shall not accept the original of any grant, gift, loan, or any sum of money, or thing of value except as follows:

(A) approval is granted pursuant to the process set forth in subdivision (b)(3) of this section if the item received has a value of more than \$15,000; and

(B) notification is sent to the Joint Fiscal Committee and the Secretary of Administration of the source, value, and purpose of the item received if the item has a value of \$1,500.00 or more.

(2) Exceptions. The review process set forth in subdivision (b)(2) of this section shall not apply to the approval of any grant, gift, loan, or any sum of money, or thing of value received by the Legislative or Judicial Branches.

(b)(d) In accordance with subsection (a) of this section, Limited service position. The Joint Fiscal Committee is authorized to approve a limited service position request in conjunction with a grant, a limited service position request for a if the position is explicitly stated for a specific purpose in the grant, may be authorized and the position request is approved pursuant to the process set forth in subsection (b) of this section. The position shall terminate with the expiration of the grant funding unless otherwise funded by an act of the General Assembly. Such authorized A limited service positions position request shall not be created until the appointing authority has certified include a certification from the appointing authority to the Joint Fiscal Committee that there exists equipment and housing for the positions position or that funds are available to purchase equipment and housing for the positions position.

(e) Policies. The Joint Fiscal Committee is authorized to adopt policies to implement this section, including a policy on expedited review by the Joint Fiscal Committee when the General Assembly is not in session.

Sec. E.131 10 V.S.A. § 9 is amended to read:

§ 9. INVESTMENT IN VERMONT COMMUNITY LOAN FUND

Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary, the State Treasurer is authorized to invest up to \$1,000,000.00 \$1,500,000.00 of short-term operating or restricted funds in the Vermont Community Loan Fund on terms acceptable to the Treasurer and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § 433(b)-(c).

Sec. E.133 Vermont state retirement system

(a) Notwithstanding 3 V.S.A. § 473(d), in fiscal year 2020, investment fees shall be paid from the corpus of the Fund.

Sec. E.139 GRAND LIST LITIGATION ASSISTANCE

(a) Of the appropriation in Sec. B.139 of this act, \$9,000 shall be transferred to the Attorney General and \$70,000 shall be transferred to the Department of Taxes, Division of Property Valuation and Review and reserved and used with any remaining funds from the amount previously transferred for final payment of expenses incurred by the Department or towns in defense of grand list appeals regarding the reappraisals of the hydroelectric plants and

other property owned by TransCanada Hydro Northeast, Inc. and its successor Great River Hydro, LLC in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. E.142 Payments in lieu of taxes

(a) This appropriation is for State payments in lieu of property taxes under 32 V.S.A. chapter 123, subchapter 4, and the payments shall be calculated in addition to and without regard to the appropriations for PILOT for Montpelier and for correctional facilities elsewhere in this act. Payments in lieu of taxes under this section shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

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

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

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

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

* * * PROTECTION TO PERSONS AND PROPERTY * * *

Sec. E.200 Attorney general

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

(b) Of the revenue available to the Attorney General under 9 V.S.A. § 2458(b)(4), \$1,390,500 is appropriated in Sec. B.200 of this act.

Sec. E.204 RUTLAND ADULT TREATMENT COURT DOCKET

(a) In the event the Rutland Adult Treatment Court program does not achieve an average minimum of 20 participants per month during the months of July 2019 through June 2020, a Task Force shall meet before July 15, 2020 to discuss how to restore the number of Rutland Adult Treatment Court participants to historical levels and whether to consider the addition of a Family Treatment Court track. The Task Force established by this section shall consist of a representative appointed by the Chief Superior Judge, the Attorney General, the Defender General, and the Executive Director of the Department of State's Attorneys and Sheriffs. The Task Force shall consult

with Project Vision, and shall report its recommendations to the Joint Legislative Justice Oversight Committee on or before October 1, 2020. Failure to achieve a minimum of 20 participants per month shall result in the removal of State General Funds effective November 1, 2020.

Sec. E.208 Public safety – administration

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

Sec. E.208.1 SCHOOL SAFETY AND SECURITY GRANT PROGRAM;
ADDISON-RUTLAND SUPERVISORY UNION

(a) The Department of Public Safety shall use \$82,000 of the amount appropriated in Sec. 13 of the fiscal year 2020 Capital Construction and State Bonding Act for the School Safety and Security Grant Program to reimburse capital eligible expenses paid by the Addison-Rutland Supervisory Union to implement safety and security measures at schools within the district.

Sec. E.209 Public safety – state police

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

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

Sec. E.212 Public safety – fire safety

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

Sec. E.215 Military – administration

(a) The amount of \$1,426,718 shall be disbursed to the Vermont Student Assistance Corporation for the National Guard Educational Assistance

program established in 16 V.S.A. § 2856 and the National Guard Tuition Benefit Program established in 16 V.S.A. § 2857.

Sec. E.219 Military – veterans’ affairs

(a) Of this appropriation, \$1,000 shall be used for continuation of the Vermont Medal Program; \$4,800 shall be used for the expenses of the Governor’s Veterans’ Advisory Council; \$7,500 shall be used for the Veterans’ Day parade; \$5,000 shall be used for the Military, Family, and Community Network; and \$10,000 shall be granted to the American Legion for the Boys’ State and Girls’ State programs.

Sec. E.219.1 [Deleted.]

Sec. E.220 Center for crime victim services

(a) Notwithstanding 20 V.S.A. § 2365(c), the Vermont Center for Crime Victim Services shall transfer \$49,253 from the Domestic and Sexual Violence Special Fund established in 13 V.S.A. § 5360 to the Criminal Justice Training Council for the purpose of funding one-half of the costs of the Domestic Violence Trainer position. The other half of the position will be funded with an appropriation to the Criminal Justice Training Council.

Sec. E.224 Agriculture, food and markets – agricultural development

(a) Of the funds appropriated in Sec. B.224 of this act, the amount of \$594,000 in general funds is appropriated for expenditure by the Working Lands Enterprise Board established in 6 V.S.A. § 4606 for investments in food and forest system businesses and services providers pursuant to 6 V.S.A. § 4607 and consistent with the funding priorities in 2012 Acts and Resolves No. 142, Sec. 5, as amended by 2014 Acts and Resolves No. 179, Sec. E.224.1.

Sec. E.233 [Deleted.]

Sec. E.233.1 DEPARTMENT OF PUBLIC SERVICE TRANSFER FROM
RESERVES

(a) Notwithstanding 30 V.S.A. § 22(d)(1) and (3), on June 30 of fiscal year 2019, from any balance in the amount allocated to the Public Utility Commission from the special fund for the maintenance of engineering and accounting forces (special fund) pursuant to 30 V.S.A. § 22(c), sufficient monies shall be transferred to the Department of Public Service for the sole purpose of closing any special fund sub-account fund deficit in the Department of Public Service.

* * * HUMAN SERVICES * * *

Sec. E.300 Agency of Human Services – secretary’s office

(a) The Secretary of Human Services shall identify funds to support the Caring Dad’s Program within existing appropriations.

Sec. E.300.1 TRANSITION OF STATE HEALTH CARE RESOURCES
FUND REVENUES TO THE GENERAL FUND

(a) The Department of Finance and Management shall report 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 Sec. B.301 of this act, as amended by 2019 Acts and Resolves No. 6:

(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 Employers’ Health Care Fund 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, 2020.

Sec. E.300.2 DEPOSIT AND USE OF MASTER SETTLEMENT FUND

(a) Deposit of Master Tobacco Settlement receipts and appropriations of Tobacco Settlement funds in fiscal year 2020 are made, notwithstanding 2013 Acts and Resolves No. 50, Sec. D.104.

Sec. E.300.3 FUNDING FOR THE OFFICE OF THE HEALTH CARE
ADVOCATE

(a) Of the funds appropriated in Sec. B.300 of this act, \$1,457,406 shall be used for the contract with the Office of the Health Care Advocate.

Sec. E.300.4 SPECIALIZED HOUSING VOUCHERS

(a) The Secretary of Human Services shall convene a working group to include one representative from each of the Departments of Mental Health, of Corrections, for Children and Families, of Disabilities, Aging, and Independent Living, and of Housing and Community Development within the

Agency of Commerce and Community Development; the Vermont State Housing Authority; and the Vermont Housing and Conservation Board to develop a strategy to fully utilize available federal rental assistance funds for vulnerable populations in Vermont. This rental assistance, in the form of specialized and rapid rehousing vouchers, serves specialized, vulnerable populations, including homeless families with children, homeless youths, chronically homeless individuals with mental illness, and families that have lost or are at risk of losing a child to State custody. The working group shall consult with community-based housing and human services providers and examine the following:

(1) whether existing expenditures on case management or other services for this vulnerable population could be utilized as match to draw federal specialized voucher funds; and

(2) Vermont's current allocation of housing assistance funds to ensure that Vermont maximizes the ability of the State to draw federal voucher funds; and

(3) any other recommendations the working group may make to help avoid further loss of these specialized vouchers.

(b) On or before November 1, 2019, the Secretary of Human Services shall report the findings of the working group to the Secretary of Administration for possible inclusion in the Governor's 2021 budget request and concurrently to the House Committees on Appropriations, on Health and Welfare, and on General, Housing, and Military Affairs and the Senate Committees on Appropriations, on Health and Welfare, and on Economic Development, Housing and General Affairs.

Sec. E.300.5 18 V.S.A. § 4653(a) is amended to read:

(a) On or before July 1, 2019 ~~2020~~, the Agency of Human Services shall submit a formal request to the Secretary of the U.S. Department of Health and Human Services for certification of the State's wholesale prescription drug importation program.

Sec. E.300.6 3 V.S.A. § 3028 is added to read:

§ 3028. WHOLESALE PRESCRIPTION DRUG IMPORTATION PROGRAM

(a) The Agency of Human Services shall be responsible for the development and, upon approval from the Secretary of the U.S. Department of Health and Human Services, the implementation and administration of a wholesale prescription drug importation program that complies with the

applicable requirements of 21 U.S.C. § 384, including the requirements regarding safety and cost savings.

(b) The Secretary of Human Services may adopt rules pursuant to chapter 25 of this title as needed to develop, implement, and administer the program.

Sec. E.300.7 NEXT STEPS FOR IMPLEMENTING A WHOLESALE
PRESCRIPTION DRUG IMPORTATION PROGRAM

(a) The Agency of Human Services shall consult with the National Academy for State Health Policy (NASHP) and with states pursuing or interested in pursuing a wholesale prescription drug importation program to identify opportunities to coordinate and work collaboratively in these efforts. On or before October 1, 2019, the Agency shall provide an update on its progress in obtaining federal approval for a wholesale prescription drug importation program pursuant to 18 V.S.A. § 4653, including the results of its consultations with NASHP and with other states, to the House Committees on Appropriations, on Health Care, and on Ways and Means; the Senate Committees on Appropriations, on Health and Welfare, and on Finance; and the Joint Fiscal Committee.

(b) The Board of Pharmacy in the Office of Professional Regulation, in consultation with the Agency of Human Services, shall explore whether any new prescription drug wholesaler license categories would be necessary in order to operate a wholesale prescription drug importation program in this State. On or before January 15, 2020, the Board shall provide its findings and recommendations with respect to new prescription drug wholesaler license categories to the House Committees on Government Operations and on Health Care and the Senate Committees on Government Operations and on Health and Welfare.

Sec. E.300.8 AGENCY OF HUMAN SERVICES; STRATEGIC PLAN;
REPORT

(a) The Agency of Human Services, in order to respond effectively to dynamic and changing societal needs, shall identify emerging trends and develop a strategic plan for addressing the most challenging issues the Agency anticipates Vermont will face within the next five to 10 years.

(b) The Agency of Human Services shall analyze and determine:

(1)(A) projected changes in the demographics of the State;

(B) increasing or emerging trends that affect or are likely to affect human services needs in the State, including social risks to be addressed; and

(C) anticipated demands on the budgets of the Agency and its departments;

(2) whether current targeted investments are successfully achieving their anticipated outcomes and, if not, why not;

(3) the appropriate programmatic, policy, and organizational reconfigurations necessary to achieve the Agency's strategic plan; and

(4) such other issues as the Agency determines are relevant to developing and achieving the Agency's strategic plan.

(c) The Agency may, within available resources, contract with an independent consultant to assist it in developing the strategic plan, analyses, and determinations required by this section.

(d)(1) On or before November 1, 2019, the Agency of Human Services shall provide a progress update on its strategic plan, analyses, and determinations to the Joint Fiscal Committee, the Health Reform Oversight Committee, the Joint Legislative Justice Oversight Committee, and the Government Accountability Committee.

(2) On or before January 15, 2020, the Agency of Human Services shall provide its final strategic plan, analyses, and determinations, including any recommendations for legislative action, to the House Committees on Appropriations, on Corrections and Institutions, on Government Operations, on Health Care, on Human Services, and on Judiciary and the Senate Committees on Appropriations, on Government Operations, on Health and Welfare, on Institutions, and on Judiciary.

Sec. E.300.9 REPORT TO THE JOINT FISCAL COMMITTEE ON FISCAL PRESSURES

(a) The Secretary of Human Services shall report to the Joint Fiscal Committee at its November 2019 meeting on the following fiscal issues:

(1) the most current estimate of timing related to the 12 beds being developed for State priority use at the Brattleboro Retreat and the fiscal year 2020 and 2021 funding implications. The Secretary shall estimate the additional needs for State funds and sources to provide funding the Administration is considering in the fiscal year 2021 budget presentation to the Legislature;

(2) the impact of the change in of Federal Children's Health Insurance match (CHIP) match on the fiscal year 2021 budget and what steps may be recommended to offset the loss of funds; and

(3) any other fiscal pressures due to changes in federal funds or other program-related changes in costs or caseloads.

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

(a) The Agency of Human Services shall use the funds appropriated in Sec. B.103 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 \$26,348,983 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) \$23,295,650 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with \$27,204,350 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of \$50,500,000. An amount equal to the amount of the federal matching funds for eligible special education school-based Medicaid services under Global Commitment shall be transferred from the Global Commitment Fund to the Medicaid Reimbursement Special Fund created in 16 V.S.A. § 2959a.

(2) \$3,053,333 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

(c) Up to \$15,400,000 is transferred from the AHS Federal Receipts Holding Account to the Interdepartmental Transfer Fund consistent with the amount appropriated in Sec. B.301 – Secretary's Office – global commitment of this act.

Sec. E.301.1 GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER;
REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2020, the Secretary of Human Services, with approval from the Secretary of Administration, may make transfers among the appropriations authorized for Medicaid and Medicaid-waiver program expenses, including Global Commitment appropriations outside the Agency of Human Services. At least three business days prior to any transfer, the Agency shall submit to the Joint Fiscal Office a proposal of transfers to be made pursuant to this section. A final report on all transfers made under this section shall be made to the Joint Fiscal Committee for review at the September 2020 meeting. The purpose of this section is to provide the Agency with limited authority to modify the

appropriations to comply with the terms and conditions of the Global Commitment for Health waiver approved by the Centers for Medicare and Medicaid Services under Section 1115 of the Social Security Act.

Sec. E.301.2 MENTAL HEALTH AND SUBSTANCE USE DISORDER
WORKFORCE

(a) The \$1,500,000 allocated to the Agency of Human Services for fiscal year 2019 pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106.1(b)(1) shall be carried forward to fiscal year 2020 and be used for loan repayment and tuition assistance to promote the recruitment and retention of high-quality providers of mental health and substance use disorder treatment services in Vermont. The funds shall be made available to individuals employed by a designated or specialized service agency in Vermont based on a three-year contractual obligation to provide mental health services or substance use disorder treatment services, or both, at a designated or specialized service agency in Vermont, for the following uses:

(1) loan repayment for master's-level clinicians, bachelor's-level direct-service staff, and nurses; and

(2) tuition assistance for individuals pursuing degrees to become master's-level clinicians, bachelor's-level direct-service staff, and nurses.

(b)(1) Loan repayment and tuition assistance funds shall be available to employees of designated and specialized service agencies as set forth in subsection (a) of this section for bachelor's- and master's-level degree programs offered through accredited institutions of higher education, including online programs.

(2) The Agency may contract with Area Health Education Centers or the Vermont Student Assistance Corporation or both to administer these programs.

(c) The fiscal year 2020 appropriation pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106.1(b)(2) shall be reserved to be addressed in the fiscal year 2020 budget adjustment or fiscal year 2021 budget processes.

Sec. E.306 VERMONT HEALTH BENEFIT EXCHANGE RULES

(a) The Agency of Human Services may adopt rules pursuant to 3 V.S.A. chapter 25 to conform Vermont's rules regarding health care eligibility and enrollment and the operation of the Vermont Health Benefit Exchange to State and federal law and guidance. The Agency may use the emergency rules process pursuant to 3 V.S.A. § 844 prior to June 30, 2020, but only in the event that new State or federal law or guidance require Vermont to amend or adopt its rules in a time frame that cannot be accomplished under the

traditional rulemaking process. An emergency rule adopted under these exigent circumstances shall be deemed to meet the standard for the adoption of emergency rules required pursuant to 3 V.S.A. § 844(a).

Sec. E.306.1 33 V.S.A. chapter 19, subchapter 4 is added to read:

Subchapter 4. Coverage for Dental Services

§ 1991. DEFINITIONS

As used in this chapter:

(1) “Dental hygienist” means an individual licensed to practice as a dental hygienist under 26 V.S.A. chapter 12.

(2) “Dental services” means preventive, diagnostic, or corrective procedures related to the teeth and associated structures of the oral cavity.

(3) “Dental therapist” means an individual licensed to practice as a dental therapist under 26 V.S.A. chapter 12.

(4) “Dentist” means an individual licensed to practice dentistry under 26 V.S.A. chapter 12.

§ 1992. MEDICAID COVERAGE FOR ADULT DENTAL SERVICES

(a) Vermont Medicaid shall provide coverage for medically necessary dental services provided by a dentist, dental therapist, or dental hygienist working within the scope of the provider’s license as follows:

(1) Up to two visits per calendar year for preventive services, including prophylaxis and fluoride treatment, with no co-payment. These services shall not be counted toward the annual maximum benefit amount set forth in subdivision (2) of this subsection.

(2) Diagnostic, restorative, and endodontic procedures, to a maximum of \$1,000.00 per calendar year, provided that the Department of Vermont Health Access may approve expenditures in excess of that amount when exceptional medical circumstances so require.

(3) Other dental services as determined by the Department by rule.

(b) The Department of Vermont Health Access shall develop a reimbursement structure for dental services in the Vermont Medicaid program that encourages dentists, dental therapists, and dental hygienists to provide preventive care.

Sec. E.306.2 AMENDMENT TO MEDICAID STATE PLAN

(a) If necessary, the Secretary of Human Services shall request approval from the Centers for Medicare and Medicaid Services for an amendment to

Vermont's Medicaid State Plan to include the expanded Medicaid dental benefits set forth in 33 V.S.A. § 1992.

Sec. E.306.3 DENTAL ACCESS AND REIMBURSEMENT WORKING
GROUP; REPORT

(a) The Department of Vermont Health Access, in consultation with the Board of Dental Examiners and the Vermont State Dental Society, shall convene a working group of interested stakeholders to:

(1) evaluate current Medicaid reimbursement rates to dentists, dental therapists, and other providers of dental services and determine the amount of fiscally responsible increases to the rates for specific services that would be needed in order to attract additional providers to participate in the Vermont Medicaid program;

(2) determine the feasibility of and costs associated with establishing a State dental assistance program to provide access to affordable dental services for Vermont residents who have lower income and are enrolled in Medicare; and

(3) explore opportunities to further expand access to dental care in Vermont, including:

(A) examining the potential to reimburse dentists, dental therapists, and dental hygienists for teledentistry services; and

(B) exploring the possible integration of dental services into the scope of services provided through accountable care organizations.

(b)(1) On or before November 1, 2019, the Department of Vermont Health Access shall provide to the House Committee on Health Care and the Senate Committee on Health and Welfare the working group's findings and recommendations regarding the feasibility and costs of creating a dental assistance program for Medicare beneficiaries as described in subdivision (a)(2) of this section and on opportunities to further expand access to dental care as described in subdivision (a)(3) of this section. The report shall also include the amount of funding that would be needed to achieve the reimbursement rates determined by the working group pursuant to subdivision (a)(1) of this section.

(2) The Department of Vermont Health Access shall report on the amount of funding necessary to achieve the reimbursement rates determined by the working group pursuant to subdivision (a)(1) of this section as part of the Department's fiscal year 2021 budget presentation.

Sec. E.308 LONG TERM CARE APPROPRIATION; TRANSFER

(a) In fiscal year 2020, the Administration is authorized to transfer the appropriation in Sec. B.308 of this act from the Department of Vermont Health Access to the Department of Disabilities, Aging, and Independent Living. This change shall be reflected in future budget recommendations.

(b) The Secretary of Human Services shall review and assess the appropriation structure for funding licensed residential care facilities and make recommendations in the Agency's fiscal year 2021 budget proposal.

Sec. E.308.1 PERSONAL NEEDS ALLOWANCE RESET

(a) The amount of the State supplement for Medicaid beneficiaries who reside in a nursing home and receive Supplemental Security Income shall increase by \$25 per person per month on January 1, 2020.

Sec. E.312 Health – public health

(a) AIDS/HIV funding:

(1) In fiscal year 2020 and as provided in this section, the Department of Health shall provide grants in the amount of \$475,000 in AIDS Medication Rebates special funds to the Vermont AIDS service and peer-support organizations for client-based support services. The Department of Health AIDS Program shall meet at least quarterly with the Community Advisory Group (CAG) with current information and data relating to service initiatives. The funds shall be allocated according to an RFP process.

(2) Ryan White Title II funds for AIDS services and the Vermont Medication Assistance Program (VMAP) shall be distributed in accordance with federal guidelines. The federal guidelines shall not apply to programs or services funded solely by State general funds.

(3)(A) The Secretary of Human Services shall immediately notify the Joint Fiscal Committee if at any time there are insufficient funds in VMAP to assist all eligible individuals. The Secretary shall work in collaboration with persons living with HIV/AIDS to develop a plan to continue access to VMAP medications until such time as the General Assembly can take action.

(B) As provided in this section, the Secretary of Human Services shall work in collaboration with the VMAP Advisory Committee, which shall be composed of not less than 50 percent of members who are living with HIV/AIDS. If a modification to the program's eligibility requirements or benefit coverage is considered, the Committee shall make recommendations regarding the program's formulary of approved medication, related laboratory testing, nutritional supplements, and eligibility for the program.

(4) In fiscal year 2020, the Department of Health shall provide grants in the amount of \$100,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for community-based HIV prevention programs and services. These funds shall be used for HIV/AIDS prevention purposes, including syringe exchange programs; improving the availability of confidential and anonymous HIV testing; prevention work with at-risk groups such as women, intravenous drug users, and people of color; and anti-stigma campaigns. Not more than 15 percent of the funds may be used for the administration of such services by the recipients of these funds. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health and the Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers.

(5) In fiscal year 2020, the Department of Health shall provide grants in the amount of \$150,000 in general funds to Vermont AIDS service organizations and other Vermont HIV/AIDS prevention providers for syringe exchange programs. The method by which these prevention funds are distributed shall be determined by mutual agreement of the Department of Health, the Vermont AIDS service organizations, and other Vermont HIV/AIDS prevention providers. The performance period for these grants will be State fiscal year 2020. Grant reporting shall include outcomes and results.

Sec. E.312.1 REPORT; PROMOTION OF IMMUNIZATION

(a) On or before July 1, 2019, the Commissioner of Health shall submit a report to the House Committee on Health Care and to the Senate Committee on Health and Welfare summarizing the Department's efforts to promote immunization in Vermont in accordance with the U.S. Centers for Disease Control and Prevention's recommendations. The report shall specifically address:

(1) existing efforts by the Department to promote immunization in Vermont, as well as the funding source and annual funding amount used for each effort;

(2) the availability of additional federal funds to enhance Vermont's efforts to promote immunizations; and

(3) the number of individuals under 18 years of age, between 2015 and 2018, who were granted exemptions from immunizations, and the type of exemptions granted.

Sec. E.312.2 DISTRIBUTION OF FENTANYL TESTING STRIPS

(a) The Department of Health, Alcohol and Drug Abuse Programs shall allocate \$50,000 of special funds appropriated in fiscal year 2020 for the

distribution of fentanyl testing strips through active syringe service programs in the State. Priority should be given to syringe service programs that do not currently distribute testing strips to areas of the State with the highest overdose death rates and highest percentage of fentanyl involvement, and to pregnant and parenting women. The amount expended shall not exceed available funds. The Department shall establish participation requirements for the syringe service programs receiving strips under this pilot.

Sec. E.313 33 V.S.A. § 2004 is amended to read:

§ 2004. MANUFACTURER FEE

* * *

(b) Fees collected under this section shall fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2; statewide unused prescription drug disposal initiatives; prevention of prescription drug misuse, abuse, and diversion; the Substance Misuse Prevention Oversight and Advisory Council established in 18 V.S.A. § 4803; treatment of substance use disorder; exploration of nonpharmacological approaches to pain management; a hospital antimicrobial program for the purpose of reducing hospital-acquired infections; the purchase and distribution of fentanyl testing strips; the purchase and distribution of naloxone to emergency medical services personnel; and any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents. The fees shall be collected in the Evidence-Based Education and Advertising Fund established in section 2004a of this title.

* * *

Sec. E.313.1 33 V.S.A. § 2004a is amended to read:

§ 2004a. EVIDENCE-BASED EDUCATION AND ADVERTISING FUND

(a) The Evidence-Based Education and Advertising Fund is established in the State Treasury as a special fund to be a source of financing for activities relating to fund collection and analysis of information on pharmaceutical marketing activities under 18 V.S.A. §§ 4632 and 4633; for analysis of prescription drug data needed by the Office of the Attorney General for enforcement activities; for the Vermont Prescription Monitoring System established in 18 V.S.A. chapter 84A; for the evidence-based education program established in 18 V.S.A. chapter 91, subchapter 2; for statewide unused prescription drug disposal initiatives; for the prevention of prescription

drug misuse, abuse, and diversion; for the Substance Misuse Prevention Oversight and Advisory Council established in 18 V.S.A. § 4803; for treatment of substance use disorder; for exploration of nonpharmacological approaches to pain management; for a hospital antimicrobial program for the purpose of reducing hospital-acquired infections; for the purchase and distribution of fentanyl testing strips; for the purchase and distribution of naloxone to emergency medical services personnel; and for the support of any opioid-antagonist education, training, and distribution program operated by the Department of Health or its agents. Monies deposited into the Fund shall be used for the purposes described in this section.

* * *

Sec. E.314 MENTAL HEALTH FUNDING ALLOCATIONS

(a) \$1,560,800 of the funds provided to the Department of Mental Health shall be utilized to create up to 12 supported housing arrangements for Community Rehabilitation and Treatment (CRT) individuals whose acuity and particular needs have been prohibitive to community reentry. The intent of this funding is reduced inpatient use by individuals who have limited discharge options.

(b) A total of \$5,202,688 is provided to increase rates and payments to the Designated Agencies and other specialized service providers for mental health and developmental disability services and is intended to be allocated proportionally to the Departments of Mental Health and of Disabilities, Aging, and Independent Living. The \$2,601,344 provided to the Department of Mental Health for this purpose includes Designated Agencies and specialized service agencies.

Sec. E.314.1 SUCCESS BEYOND SIX; REVIEW

(a) The Success Beyond Six program is based on agreements between the Designated Agencies and local schools, supervisory unions, or districts. The Agency of Human Services does not play a role in funding decisions, however the overall program spending is part of the Medicaid program and impacts overall Medicaid spending and the budget neutrality cap.

(b) Given the limited room in the Global Commitment Medicaid budget neutrality cap, the Agency of Human Services (AHS), the Agency of Education (AOE), and Department of Mental Health (DMH) shall assess and determine how to evaluate Success Beyond Six program spending against other competing priorities in the Medicaid program.

(c) AHS, AOE, and DMH shall report to the General Assembly on Success Beyond Six evaluation and oversight not later than January 15, 2020. The report shall include:

(1) an inventory of existing methods for providing school-based mental health services;

(2) analysis of the trend in school-based mental health programming that is funded through the Success Beyond Six program fiscal mechanism;

(3) evaluation of the program attributes;

(4) determination, in partnership with the Designated Agencies, of metrics for evaluating program outcomes; and

(5) a proposal for how AHS, AOE, and DMH should participate in Success Beyond Six spending decisions.

Sec. E.316 REPORT ON ECONOMIC SERVICES DIVISION; SERVICE
DELIVERY INNOVATION PILOTS

(a) On or before January 15, 2020, the Commissioner for Children and Families shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare summarizing any economic service delivery pilot programs implemented as a result of authority granted by 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.316. The report shall summarize the components of the pilot including any rules that were temporarily waived during the pilot and any recommendations resulting from the pilot.

Sec. E.316.1 [Deleted.]

Sec. E.317 [Deleted.]

Sec. E.318 33 V.S.A. § 3512 is amended to read:

§ 3512. CHILD CARE FINANCIAL ASSISTANCE PROGRAM;
ELIGIBILITY

(a)(1) The Child Care Financial Assistance Program is established to subsidize, to the extent that funds permit, the costs of child care for families that need child care services in order to obtain employment, to retain employment, or to obtain training leading to employment. Families seeking employment shall ~~not~~ be entitled to participate in the Program for ~~a period in excess of one month, unless that period is extended by~~ up to three months and the Commissioner may further extend that period.

(2) The subsidy authorized by this subsection shall be on a sliding scale basis. The scale shall be established by the Commissioner, by rule, and shall bear a reasonable relationship to income and family size. The lower limit of the fee scale shall include families whose gross income is up to and including 100 percent of the current federal poverty guidelines. The upper income limit of the fee scale shall be neither less than 200 percent of the current federal

poverty guidelines nor more than 100 percent of the State median income, adjusted for the size of the family. The scale shall be structured so that it encourages employment. If the federal poverty guidelines decrease in a given year, the Division shall maintain the previous year's federal poverty guidelines for the purpose of determining eligibility and benefit amount under this subsection.

* * *

(4) After September 30, 2021, a regulated center-based child care program or family child care home as defined by the Department in rule shall not receive funds pursuant to this subsection that are in excess of the usual and customary rate for services at the center-based child care program or family child care home.

* * *

Sec. E.318.1 CHILD CARE FINANCIAL ASSISTANCE PROGRAM

(a) In fiscal year 2020 the Department for Children and Families' Child Development Division shall adjust the sliding fee scale and reimbursement rates as follows:

(1) to ensure that families whose gross income is up to 100 percent of the current federal poverty guidelines receive 100 percent of the available benefit and that families whose gross income is between 100 and 300 percent of the current federal poverty guidelines receive between 99 and 10 percent of the available financial assistance benefit, scaling between set eligibility levels as follows:

(A) 95 percent of the available financial assistance benefit for families at 125 percent of the current federal poverty guidelines;

(B) 75 percent of the available financial assistance benefit for families at 150 percent of the current federal poverty guidelines;

(C) 50 percent of the available financial assistance benefit for families at 200 percent of the current federal poverty guidelines; and

(D) 10 percent of the available financial assistance benefit for families at 300 percent of the current federal poverty guidelines; and

(2) align rates of reimbursement for preschool and school age children participating in the Child Care Financial Assistance Program (CCFAP) in fiscal year 2020 with the market rates reported on the 2014 Vermont Market Rate Survey and maintain rates of reimbursement for infants and toddlers participating in CCFAP in fiscal year 2020 aligned with the market rates reported on the 2017 Vermont Market Rate Survey.

Sec. E.318.2 EARLY CHILD CARE AND DEVELOPMENT PROGRAM
CESSATION

(a) The Early Care and Child Development Grant Program shall cease operation on June 30, 2019.

Sec. E.318.3 CHILD CARE PROVIDER STABILIZATION GRANTS

(a) Of the funds provided in fiscal year 2020 in Sec. B.318, \$1,000,000 is allocated for the dual purposes of:

(1) enhancing supports to child care and early learning programs that maintain the enrollment of children receiving support through the Child Care Financial Assistance Program (CCFAP) at a level of at least 50 percent of total enrollment; and

(2) expanding infant and toddler child care capacity.

(b) The Division shall award grants to eligible applicants. An eligible applicant shall:

(1) be a new or existing regulated, privately operated center-based child care program or family child care home in good regulatory standing;

(2) participate in CCFAP;

(3) provide year-round, full-day child care and early learning services;

(4) provide child care and early learning services for infants and toddlers; and

(5) participate in the STep Ahead Recognition System (STARS).

(c) Center-based child care programs or family child care homes receiving a grant pursuant to this section shall remain in compliance with the Division's rules, continue participation in STARS, and maintain enrollment of children supported by CCFAP.

Sec. E.318.4 BRIGHT FUTURES INFORMATION SYSTEM;
MODERNIZATION PLAN

(a) The \$1,000,000 one-time funding provided in Sec. C100(a)(17) of this act is for the purpose of developing and implementing a modernization plan for the Bright Futures Information System; of which \$100,000 shall be designated for developing the modernization plan and the remainder shall be designated for implementing the plan.

(b) On or before December 1, 2019, the Commissioner shall submit a report to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare providing:

- (1) an initial project plan and timeline;
- (2) a fiscal analysis of the plan; and
- (3) the project team tasked with overseeing the project's implementation.

Sec. E.318.5 CHILD CARE WORKFORCE; GRANTS INCENTIVIZING
PROFESSIONAL COMMITMENT AND CONTINUING
EDUCATION

(a)(1) The \$300,000 of funding provided in Sec. C.100(a)(18)(B) is to fund incentive grants for eligible individuals employed in a regulated privately operated center-based child care program or family child care home. The incentive grants shall be used to either foster job retention through hiring or retention bonuses or fund tuition assistance for continuing education. The program shall provide grants for tuition assistance, hiring or retention awards for eligible individuals employed in regulated, privately operated center-based child care programs and family child care homes.

(2) An eligible individual shall:

(A) commit to three years of employment in a privately operated center-based child care program or family child care home that is regulated by the Division for at least an average of 30 hours per week for 48 weeks of the year;

(B) receive an annual salary of not more than \$40,000; and

(C) have previously completed, or be enrolled in, courses leading to credits in early childhood development or that are related directly to working with children birth through eight years of age.

(b)(1) The Division shall administer the incentive grants set forth in this section or contract for their administration. It shall adopt policies, procedures, and guidelines necessary to implement the provisions of this section.

(2) Incentive grants shall be available pursuant to this section on a first-come, first-served basis until appropriated funds are depleted.

Sec. E.318.6 TECHNICAL CENTER; CHILD DEVELOPMENT
ASSOCIATE CREDENTIAL

(a) The \$300,000 of funding provided in Sec. C. 100(a)(18)(A) is to facilitate the implementation of the Council for Professional Regulation's Child Development Associate Credential curriculum in technical centers throughout the State.

(b) Any funds unused in subsection (a) of this section shall be reserved to fund stipends or paid internship opportunities for students who have completed, or are in the process of completing, the Child Development Associate Credential at a Vermont technical center or for the Division to develop a paid internship program for such students or both.

Sec. E.318.7 REPORT; EVALUATION OF EXPENDITURES AND PROGRAMS

(a) On or before January 1, 2024, the Commissioner for Children and Families, in consultation with stakeholders, shall submit a report to the House Committee on Human Services and to the Senate Committee on Health and Welfare:

(1) evaluating the effectiveness of the expenditures resulting from the Child Care Financial Assistance Program rate and subsidy changes enacted for fiscal year 2020 as set forth in Sec. E.318.1 of this act, the incentive grants set forth in Sec. E.318.5 of this act, and the stipend or paid internship opportunities for individuals completing the Child Development Associate Credential at a Vermont technical center set forth in Sec. E.318.6 of this act;

(2) making recommendations as to whether the programs and expenditures set forth in Secs. E.318.1, E.318.5, and E.318.6 should continue; and

(3) evaluating how the programs and expenditures set forth in Secs. E.318.1, E.318.5, and E.318.6 contribute to Vermont's children and young people reaching their potential pursuant to 3 V.S.A. § 2311.

Sec. E.318.8 EDUCATIONAL AND EXPERIENTIAL VARIANCE

(a) For individuals operating or employed in a registered family child care home or as a director or teacher associate in a center-based program for 10 or more years prior to September 1, 2016, the Commissioner for Children and Families or designee may issue a variance to the Child Development Division's rule regarding educational and experiential requirements to allow an individual to maintain employment in that same role regardless of whether the family child care provider, family child care assistant, director, or teacher associate intends to attain the otherwise necessary educational requirements. To be eligible for a variance, the family child care provider, family child care assistant, director, or teacher associate shall:

(1) work continuously in a regulated program with a full license in good standing; and

(2) meet the Division's educational and experiential requirements in place prior to the adoption of the new rule, which was effective beginning on September 1, 2016.

(b) The Commissioner or designee shall review any violation occurring in a regulated program where a family child care provider, family child care assistant, director, or teacher associate is under variance and may revoke the variance granted by this section depending upon the seriousness and circumstances of the violation.

(c) Any variance granted under this section shall be terminated on July 1, 2024, and extensions shall not be granted beyond that date.

Sec. E.321 GENERAL ASSISTANCE HOUSING

(a) Funds appropriated to the Agency of Human Services in the General Assistance program in fiscal year 2020 may be used for temporary housing in catastrophic situations and for vulnerable populations, as defined in rules adopted by the Agency. The Commissioner for Children and Families may, by policy, provide temporary housing for a limited duration in adverse weather conditions when appropriate shelter space is not available.

Sec. E.321.1 HOUSING ASSISTANCE BENEFITS; FLEXIBILITY PROGRAM; COMMUNITY BASED ALTERNATIVES TO GENERAL ASSISTANCE TEMPORARY HOUSING

(a) For fiscal year 2020, the Agency of Human Services may continue to fund housing assistance programs within the General Assistance program to create flexibility to provide General Assistance benefits, as well as grants to support the establishment of community-based alternatives for temporary housing as part of the effort to reduce the number of individuals temporarily housed by the General Assistance program. The purpose of these housing assistance programs and community-based alternatives is to mitigate poverty and serve applicants more effectively than they are currently being served with General Assistance funds. Eligible activities shall include, among other things, the provision of shelter, overflow shelter, case management, transitional housing, deposits, down payments, rental assistance, upstream prevention, and related services that ensure that all Vermonters have access to shelter, housing, and the services they need to become safely housed. The Agency may award grants to homeless and housing service providers for eligible activities. Where such housing assistance programs and grants are provided, and community-based programs are established, the General Assistance rules shall not apply. The assistance provided under this section is not an entitlement and may be discontinued when the appropriation has been fully spent.

(b) The housing assistance and community-based programs may operate in up to 12 districts designated by the Secretary of Human Services. The Agency shall establish goals and procedures for evaluating the program overall, including performance measures that demonstrate program results, and for each district in which the Agency operates the program, it shall establish procedures for evaluating the district program and its effects.

(c) The Agency shall continue to engage interested parties, including both statewide organizations and local agencies, in the design, implementation, and evaluation of housing assistance programs and community-based alternatives to General Assistance temporary housing.

Sec. E.323 REACH UP CASE MANAGEMENT REVIEW AND
COMMUNITY ENGAGEMENT

(a) On or before October 2019, the Secretary of Human Services shall report to Joint Legislative Child Protection Oversight Committee and make recommendations on how Reach Up Case Management services can be more effectively directed to strengthen families and promote parental responsibilities. This report shall:

(1) outline the current components of the statutorily required Individualized Family Development Plan;

(2) identify what modifications are required to ensure a comprehensive assessment of the family's strengths and service needs is completed so that the family's individualized plan adequately addresses the nurturing and care of the children;

(3) review how families at risk of involvement in the child welfare system are identified and protocols for providing the preventive and upstream services to so that children can remain safely at home; and

(4) examine current practices of serving Reach Up families such as home visiting and referrals to enhance parental care and family stability.

(b) It is legislative intent that, within the Department for Children and Families, Reach Up case management engage with community-based service providers, including parent child centers, in a manner consistent with the principles referenced in 1994 Acts and Resolves No. 106.

Sec. E.323.1 33 V.S.A. § 1103 is amended to read:

§ 1103. ELIGIBILITY AND BENEFIT LEVELS

* * *

(c) The Commissioner shall adopt rules for the determination of eligibility for the Reach Up program and benefit levels for all participating families that include the following provisions:

* * *

(9) The amount of ~~\$115.00~~ \$77.00 of the Supplemental Security Income payment received by a parent excluding payments received on behalf of a child shall count toward the determination of the amount of the family's financial assistance grant.

* * *

Sec. E.323.2 33 V.S.A. § 1101 is amended to read:

§ 1101. DEFINITIONS

* * *

(15) "Parent" means ~~a biological parent, stepparent, adoptive parent, or pregnant individual;~~

(A) the same as in 15C V.S.A. § 102(16);

(B) stepparents; and

(C) pregnant individuals.

* * *

Sec. E.323.3 VACANT REACH UP CASE MANAGER POSITIONS

(a) In the event that any Reach Up Case Manager positions are vacant at the start of fiscal year 2020 or become vacant during fiscal year 2020, up to two of them may be transferred from the Economic Services Division, along with the funds budgeted to support them, to the Family Services Division and reclassified as determined by the Family Services Division.

Sec. E.324 EXPEDITED CRISIS FUEL ASSISTANCE

(a) The Commissioner for Children and Families or designee may authorize crisis fuel assistance to those income-eligible households that have applied for an expedited seasonal fuel benefit but have not yet received it, if the benefit cannot be executed in time to prevent them from running out of fuel. The crisis fuel grants authorized pursuant to this section count toward the one crisis fuel grant allowed per household for the winter heating season pursuant to 33 V.S.A. § 2609(b).

Sec. E.325 Department for children and families – office of economic opportunity

(a) Of the General Fund appropriation in Sec. B.325 of this act, \$1,092,000

shall be granted to community agencies for homeless assistance by preserving existing services, increasing services, or increasing resources available statewide. These funds may be granted alone or in conjunction with federal Emergency Solutions Grants funds. Grant decisions shall be made with assistance from the Vermont Coalition to End Homelessness.

Sec. E.326 Department for children and families – OEO – weatherization assistance

(a) Of the Special Fund appropriation in Sec. B.326 of this act, \$750,000 is for the replacement and repair of home heating equipment.

Sec. E.326.1 [Deleted.]

Sec. E.326.2 33 V.S.A. § 2502 is amended to read:

§ 2502. HOME WEATHERIZATION ASSISTANCE PROGRAM

(a) The Director of the State Office of Economic Opportunity shall administer the Home Weatherization Assistance Program under such rules, regulations, funding, and funding requirements as may be imposed by federal law.

(b) In addition, the Director shall supplement, or supplant, any federal program with the State Home Weatherization Assistance Program.

(1) The State program shall provide an enhanced weatherization assistance amount exceeding the federal per unit limit allowing amounts up to an average of ~~\$8,000.00~~ \$8,500.00 per unit allocated on a cost-effective basis. The allowable average per unit may be adjusted to account for the lower cost per unit of multifamily buildings. In units where costs exceed the allowable average by more than 25 percent, prior approval of the Director of the State Economic Opportunity Office shall be required before work commences. This amount shall be adjusted annually by increasing the last year's amount by the percentage increase in the Consumer Price Index for the previous year.

* * *

Sec. E.327 WOODSIDE JUVENILE REHABILITATION CENTER;
REPORT

(a) The Secretary of Human Services shall develop an alternative proposal for long-term secure beds for delinquent youth. The proposal shall take into account the report required pursuant to 2018 Acts and Resolves No. 201, Sec. 12 and how therapeutic needs can be met.

(b) On or before January 15, 2020, the Secretary of Human Services shall submit a copy of the proposal to the House Committees on

Appropriations, on Corrections and Institutions, on Human Services, and on Judiciary, and the Senate Committees on Appropriations, on Health and Welfare, on Institutions, and on Judiciary.

Sec. E.329 TRANSFER OF NURSING HOME LICENSED BEDS;
REVIEW PROCESS

(a) The Secretary of Human Services shall develop a process for reviewing and approving the transfer of licensed beds from one nursing home to another nursing home, provided the transfer does not result in an increase in the total number of licensed nursing home beds in the State.

Sec. E.329.1 18 V.S.A. § 9434 is amended to read:

§ 9434. CERTIFICATE OF NEED; GENERAL RULES

(a) A health care facility other than a hospital shall not develop or have developed on its behalf a new health care project without issuance of a certificate of need by the Board. For purposes of this subsection, a “new health care project” includes the following:

* * *

(2)(A) A change from one licensing period to the next in the number of licensed beds of a health care facility through addition or conversion, or through relocation from one physical facility or site to another.

(B) Notwithstanding subdivision (A) of this subdivision (2), the transfer of licensed beds from one nursing home to another nursing home shall not be considered a new health care project for purposes of this subchapter if the transfer would not result in an increase in the total number of licensed nursing home beds in this State.

* * *

Sec. E.329.2 18 V.S.A. § 9434 is amended to read:

§ 9434. CERTIFICATE OF NEED; GENERAL RULES

(a) A health care facility other than a hospital shall not develop or have developed on its behalf a new health care project without issuance of a certificate of need by the Board. For purposes of this subsection, a “new health care project” includes the following:

* * *

(2)(A) A change from one licensing period to the next in the number of licensed beds of a health care facility through addition or conversion, or through relocation from one physical facility or site to another.

~~(B) Notwithstanding subdivision (A) of this subdivision (2), the transfer of licensed beds from one nursing home to another nursing home shall not be considered a new health care project for purposes of this subchapter if the transfer would not result in an increase in the total number of licensed nursing home beds in this State.~~

* * *

Sec. E.333 DEVELOPMENTAL DISABILITIES SERVICE PAYMENT
REFORM UPDATE

(a) The Agency of Human Services shall submit an update to the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare Committee on the progress made on developmental disability service delivery and payment reform model on or before January 15, 2020. The update shall provide information on the decisions made to date on the proposed model for developmental disabilities payment and service delivery reform and shall include information on:

(1) anticipated costs to both providers and the State of any potential changes and any identified funding strategies;

(2) the plan to use a standardized assessment tool;

(3) how the proposed model addresses individualized services and community inclusion;

(4) stakeholder engagement, including how their feedback was incorporated into the plan;

(5) a description of how the model works in relation to payment and sustainability of the system and its workforce;

(6) how the model covers the costs of high-needs individuals;

(7) the continuation of person-centered care planning and services;

(8) maintaining choice of provider, service management, and service options; and

(9) how it will hold providers accountable for service expenditures and individual recipient outcomes.

Sec. E.333.1 DEVELOPMENTAL DISABILITIES FUNDING
ALLOCATION

(a) A total of \$5,202,688 is provided to increase rates and payments to the Designated Agencies and other specialized service providers for mental health and developmental disability services and is intended to be allocated

proportionally to the Departments of Mental Health and of Disabilities, Aging, and Independent Living. \$2,601,344 provided to the Department of Disabilities, Aging and Independent Living for this purpose includes the specialized service agencies.

Sec. E.335 CORRECTIONS APPROPRIATIONS; TRANSFER; REPORT

(a) In fiscal year 2020, the Secretary of Administration may, upon recommendation of the Secretary of Human Services, transfer unexpended funds between the respective appropriations for correctional services and for correctional services out-of-state beds. At least three days prior to any such transfer being made, the Secretary of Administration shall report the intended transfer to the Joint Fiscal Office and shall report any completed transfers to the Joint Fiscal Committee at its next scheduled meeting.

Sec. E.335.1 JUSTICE REINVESTMENT ALLOCATIONS

(a) In fiscal year 2020 and each fiscal year thereafter, the Department of Corrections shall redirect any budgetary savings in contracted services or caseload reductions in any area of corrections services and out-of-state bed need to the following justice reinvestment priorities:

(1) court diversion, community justice programs, and nonincarcerative treatment options for those suffering from either mental health or addiction problems;

(2) community organizations that develop transitional or long-term housing for offenders reentering the community; and

(3) programs operated by the Department or partner organizations serving reentering offenders regarding employment, reliable transportation, education or vocational training, substance use disorder recovery, peer support, and housing.

Sec. E.335.2 COMMUNITY WORK CREW PROGRAM RESTRUCTURE

(a) On or before October 15, 2019, the Department of Corrections shall report to the Joint Legislative Justice Oversight Committee regarding whether the Department should contract with local community justice programs to oversee the work crew sentence requirements of any individual with work crew obligations under the Department's supervision. The report shall consider the cost and public safety implications, as well as any anticipated effect on recidivism rates, of any such contractual approach to work crew supervision.

Sec. E.338 Corrections - correctional services

(a) Notwithstanding 32 V.S.A. § 3709(a), the special funds appropriation

of \$152,000 for the supplemental facility payments to Newport and Springfield shall be paid from the PILOT Special Fund under 32 V.S.A. § 3709.

Sec. E.338.1 [Deleted.]

Sec. E.338.2 28 V.S.A. § 801b is amended to read:

§ 801b. MEDICATION-ASSISTED TREATMENT IN CORRECTIONAL FACILITIES

* * *

(e) ~~Any counseling~~ Counseling or behavioral therapies shall be provided in conjunction with the use of medication for medication-assisted treatment shall be medically necessary, as provided for in the Department of Health's "Rule Governing Medication-Assisted Therapy for Opioid Dependence for: (1) Office-Based Opioid Treatment Providers Prescribing Buprenorphine; and (2) Opioid Treatment Providers."

Sec. E.338.3 CORRECTIONS HEALTH CARE; REPORT

(a) On or before November 15, 2019, the Department of Corrections shall provide an interim report to the Joint Legislative Justice Oversight Committee regarding the Department's Peer Review of the medication-assisted treatment policy, procedure, and clinical guidelines.

Sec. E.338.4 2014 Acts and Resolves No. 131, Sec. 135, as amended by 2015 Acts and Resolves No. 4, Sec. 71 and 2017 Acts and Resolves No. 85, Sec. E.338.2 and 2018 Acts and Resolves No.87, Sec. 51, is further amended to read:

Sec. 135. ~~EFFECTIVE DATES~~

~~This act shall take effect on passage, except that Secs. 118a and 118b (amending 18 V.S.A. § 4808 and adding 18 V.S.A. § 4809) shall take effect on July 1, 2021. [Repealed.]~~

Sec. E.342 20 V.S.A. § 1716 is amended to read:

§ 1716. CHIEF EXECUTIVE OFFICER

* * *

~~(11)—Report annually on or before July 1 to the Secretary of Administration and the Senate Committee on Appropriations on the number of employees who work at the Vermont Veterans' Home for 16 hours or fewer per week. [Repealed.]~~

Sec. E.342.1 VERMONT VETERANS' HOME SAFETY AND ACCESS
CONTROL UPGRADES

(a) The Vermont Veterans' Home is authorized to use \$918,750 as 35 percent State match for its VA grant to address safety and access control. An additional \$140,049 shall be reserved for further use with the approval of the General Assembly.

Sec. E.342.2 VERMONT VETERANS' HOME; PHARMACY SAVINGS

(a) The Administrator of the Vermont Veterans' Home shall coordinate with the staff of Vermont's U.S. Senate delegation who have expertise relevant to the prescription drug supply system of the U.S. Veterans' Administration (VA). The Administrator shall determine the feasibility of reducing the cost of prescription medications provided by the VA and report findings, recommendations, and actions to the House and Senate Committees on Appropriations on or before January 15, 2020. A guiding principle when developing recommendations shall be patient safety and the reduction of medication error rates.

* * * LABOR * * *

Sec. E.400 LABOR PROGRAMS

(a) \$1,335,900 of the General Funds appropriated in Sec. B.400 of this act are workforce education and training funds formerly allocated through the Next Generation Fund. Up to 10 percent of these funds may be allocated for administration and the remaining funds are allocated in fiscal year 2020 as follows:

(1) \$350,000 for infrastructure and grants for internships through the Vermont Internship Program pursuant to 10 V.S.A. § 544.

(2) \$400,000 for Adult Career Technical Education Programs for the purpose of awarding grants to regional technical centers and high schools to provide adult career technical education as the term is defined in 16 V.S.A. § 1522. Each of the seventeen (17) regional Career Technical Education (CTE) Centers that provides Adult CTE programs shall be awarded a base grant of \$20,000. These grants may be used to support adult program staff or instructor salaries, scholarships for eligible adult CTE students, or curriculum development for adult CTE courses. The remaining \$60,000 is to support the coordination and organization of the State's regional adult career technical education programs.

(3) \$100,000 to support the Vermont Returnship Program pursuant to 10 V.S.A. § 545. The Department of Labor may award a performance grant to assist in the coordination, outreach, and implementation of the Program.

(4) \$75,000 to support workforce education and training activities for Vermont inmates in the State's correctional facilities that are consistent with their reentry plan. The Department may fund these activities in coordination with the Department of Corrections, a local restorative justice center, a regional Career Technical Education Center, or other qualified training provider. Training opportunities funded with this allocation will be aligned with an identified employment need, and when possible, should result in an industry-recognized credential.

(5) \$277,310 to support of demand-driven trainings or programs aimed at meeting employment needs throughout the State. High-priority sectors include health care, construction, manufacturing, transportation, hospitality, and business services. Grants may be awarded to training providers, businesses, or service providers who help out-of-school youth, veterans, dislocated workers, mature workers, individuals in recovery, or geographically isolated job seekers to overcome barriers to employment.

Sec. E.400.1 VERMONT YOUTH EMPLOYMENT PROGRAM

(a) On or before September 1, 2019, the Department of Labor shall design and begin implementation of the Vermont Youth Employment Program, the purpose of which shall be to provide paid work experiences and paid or unpaid internships for Vermont youth with individualized preemployment, academic, occupational, and technical skill development supports available as needed. In coordination with existing federal youth education, training, and employment programs, the Vermont Youth Employment Program shall include:

(1) a summer youth employment program for individuals 15–24 years of age; and

(2) a nonseasonal youth employment program for out-of-school youth as defined in 20 CRF § 681.210 or individuals 18-24 years of age who are not pursuing a post-secondary degree or credential.

(b) The Department shall implement the Program using funds from the State's Workforce Innovation and Opportunity Act grant from the U.S. Department of Labor, and other State and federal sources, to the extent allowed under applicable law.

(c) The Department shall design the Program to serve approximately 150 individual Vermonters annually, and it shall be designed to support opportunities that are easily replicable throughout the State if the program is expanded in future years.

(d) Of the General Funds appropriated to the Department of Labor, \$150,000 is allocated to support the program and may be used for program administration, wages for non-WIOA eligible youth, academic or skill

instruction, participant transportation, or other non-federally fundable expenses.

(e) The Department shall collect the following information and make it available to the General Assembly upon request:

- (1) the number of youth enrolled and that have completed the program;
- (2) the age and town of residence of youth at the time of enrollment;
- (3) the number and types of certificates or credentials granted to participants;
- (4) employment or post-secondary enrollment outcomes of participants in the second and fourth quarter of the year after enrollment;
- (5) the total allocation of funding from federal, State, private, and philanthropic sources that is used to support the program; and
- (6) any identified barriers that impede the success of the program either at the program or individual participant level.

* * * K-12 EDUCATION * * *

Sec. E.500 32 V.S.A. § 6075a is amended to read:

§ 6075a. ~~EDUCATION FINANCIAL SYSTEMS FUND~~

~~There is created a special fund to be called the "Education Financial Systems Fund." The purpose of the Fund is to provide for implementation of a uniform chart of accounts by the Agency of Education as provided in 2014 Acts and Resolves No. 179, Secs. E.500.2 and E.500.3, and Sec. E.500.1 as amended by 2015 Acts and Resolves No. 58, Sec. E.500.1. [Repealed.]~~

Sec. E.500.1 16 V.S.A. § 4025 is amended to read:

§ 4025. EDUCATION FUND

* * *

(b) Monies in the Education Fund may be used for the following:

* * *

(5) To make payments for contracted services to support statewide administrative education systems, including the costs of the statewide school finance and financial management data system to complete the reporting required by subdivision 242(4) of this title and pursuant to 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. E.500.1.

* * *

Sec. E.500.2 EDUCATION FINANCIAL SYSTEMS FUND BALANCE
TRANSFER

(a) Notwithstanding any other provision of law, on July 1, 2019, any unencumbered balance in the Education Financial Systems Fund, established by 32 V.S.A. § 6075a, fund number 21244, shall be transferred to the Education Fund.

Sec. E.500.3 Education – finance and administration

(a) The Global Commitment funds appropriated in this section will be used for physician claims for determining medical necessity of Individualized Education Program (IEPs). It is the goal of these services to increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.

Sec. E.500.4 EDUCATION FINANCIAL SYSTEMS FUND BALANCE
TRANSFER USE

(a) \$600,000 of the unencumbered balance transferred to the Education Fund from the Education Financial Systems Fund by Sec. E.500.2 of this act shall be used for additional support to provide contractor assistance and on-site trainings.

Sec. E.500.5 2018 Acts and Resolves No. 11 (Sp. Sess.), Sec. E.500.1 is amended to read:

Sec. E.500.1 UNIFORM CHART OF ACCOUNTS SCHOOL FINANCE
AND FINANCIAL DATA MANAGEMENT SYSTEM

(a) Not later than July 1, ~~2020~~ 2022, all Vermont supervisory unions, supervisory districts, school districts, and independent tech center districts shall utilize the same school finance and financial data management system. The system shall be selected by the Agency of Education per State procurement guidelines.

* * *

~~(c) Notwithstanding subsection (a) of this section, supervisory unions with districts that are merging into a new governance structure as of July 1, 2018 and that have executed a contract on or before May 1, 2018 to acquire a new school finance and financial data system other than the management system selected by the Agency of Education to serve the merged system may delay adoption of the system selected by the Agency until July 1, 2021. [Repealed.]~~

~~(d) Notwithstanding subsection (a) of this section, a supervisory union or a supervisory district that entered into a contract for a school finance and financial data management system on or after July 1, 2017, may delay~~

~~adoption of the system selected by the Agency until July 1, 2021 or upon expiration of the current contract, whichever is earlier. [Repealed.]~~

Sec. E.501 Education – education services

(a) \$75,000 of the funds appropriated in Sec. B.501 of this act shall increase State match payments to schools participating in the national school lunch program to increase the purchase of locally produced foods.

Sec. E.501.1 BUILDING SAFE AND HEALTHY ENVIRONMENTS FOR STUDENTS

(a) Notwithstanding any other provision of law, \$60,000 from the General Fund to the Agency of Education shall be used for a pass-through grant to Outright Vermont to provide funding for training and support of building safe, supportive, and healthy environments for all students.

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

(a) Of the appropriation authorized in this section, and notwithstanding any other provision of law, an amount not to exceed \$3,764,490 shall be used by the Agency of Education in fiscal year 2020 as funding for 16 V.S.A. § 2967(b)(2)–(6). In distributing such funds, the Secretary shall not be limited by the restrictions contained within 16 V.S.A. § 2969(c) and (d).

Sec. E.502.1 2018 Acts and Resolves No. 173, Sec. 16 is amended to read:

Sec. 16. RULEMAKING

The Agency of Education shall recommend to the State Board proposed rules that are necessary to implement this act and, on or before ~~November August 1, 2019~~ 2020, the State Board of Education shall ~~adopt~~ initiate rules that are necessary to implement this act. The State Board and the Agency of Education shall consult with the Census-based Funding Advisory Group established under Sec. 9 of this act in developing the State Board rules. The State Board rules shall include rules that establish processes for reporting, monitoring, and evaluation designed to ensure:

(1) the achievement of the goal under this act of enhancing the effectiveness, availability, and equity of services provided to all students who require additional support in Vermont's school districts; and

(2) that supervisory unions are complying with the Individuals with Disabilities Education Act, 20 U.S.C. chapter 33.

Sec. E.502.2 2018 Acts and Resolves No. 173, Sec. 23 is amended to read:

Sec. 23. EFFECTIVE DATES

* * *

(b) Sec. 5 (16 V.S.A. chapter 101) shall take effect on July 1, ~~2020~~ 2021.

* * *

Sec. E.503 Education – state-placed students

(a) The Independence Place Program of the Lund Family Center shall be considered a 24-hour residential program for the purposes of reimbursement of education costs.

(b) Education services provided to long-term residents at Woodside Juvenile Rehabilitation Center shall be eligible for reimbursement.

Sec. E.504.1 [Deleted.]

Sec. E.504.2 Education – flexible pathways

(a) Of this appropriation, \$3,026,500 from the Education Fund shall be distributed to school districts for reimbursement of high school completion services pursuant to 16 V.S.A. § 943(c). Notwithstanding 16 V.S.A. § 4025(b), of this Education Fund appropriation, the amount of:

(1) \$850,000 is available for dual enrollment programs and the amount of \$42,500 is available for need-based stipends pursuant to Sec. E.605.2(a) of this act;

(2) \$100,000 is available to support the Vermont Virtual Learning Cooperative at the River Valley Technical Center School District;

(3) \$200,000 is available for secondary school reform grants; and

(4) \$450,000 is available for the Vermont Academy of Science and Technology and \$2,148,000 for Early College pursuant to 16 V.S.A. § 946.

(b) Of this appropriation, \$850,000 from general funds is available for dual enrollment programs and the amount of \$42,500 from the General Fund is available for need-based stipends pursuant to Sec. E.605.2(a) of this act.

Sec. E.505 INTERSTATE SCHOOL DISTRICT

(a) Notwithstanding any other provision of law, \$25,000 of the funds appropriated in Sec. B.505 of this act shall be granted to the Stamford school district for continued study of the formation of an interstate school district that would combine the Stamford school district with the Clarksburg, Massachusetts school district.

Sec. E.507 SMALL SCHOOLS GRANTS; PRESERVING ELIGIBILITY;
PROHIBITING DUPLICATE GRANTS

(a) Notwithstanding the provisions of 16 V.S.A. § 4015 to the contrary, a district shall be eligible for a small schools grant under that section if:

(1) two or more school districts voluntarily merged to form a unified union school district that will become operational on July 1, 2019;

(2) one or more of these merging school districts was an “eligible school district” as defined in 16 V.S.A. § 4015, as in effect on June 30, 2019, that received a small schools support grant under that section in fiscal year 2019; and

(3) the unified union school district is not eligible for incentives under 2010 Acts and Resolves No. 153, 2012 Acts and Resolves No. 156, or 2015 Acts and Resolves No. 46, each as amended.

(b) In determining whether a school district is an eligible school district under 16 V.S.A. § 4015(a)(1)(B)(ii)(III), under which the State Board considers a school’s student-to-staff ratio in assessing its operational efficiency, the State Board shall not count a person who works in a school as a member of that school’s staff if:

(1) the person is employed by the supervisory union for the school district or by another member school district;

(2) the member school districts of the supervisory union have a reciprocity agreement under which they allow resident students of one member school district to attend a school in another member school district;

(3) a student who is a resident of a member school district attends the school in another member school district under the reciprocity agreement for the purpose of receiving special education services; and

(4) the person is working in the school in the other member school district to support the student receiving special education services.

(c) A union school district that receives a merger support grant pursuant to 2010 Acts and Resolves No. 153, 2012 Acts and Resolves No. 156, or 2015 Acts and Resolves No. 46, each as amended, shall not be eligible also to receive a small schools grant under this section; provided, however, that if a union school district that received a merger support grant is enlarged to include a district that received a small school grant in fiscal year 2019 (the “new member”) and the operational date of the union district as enlarged by the new member is July 1, 2019, then the union school district may apply for a small school grant pursuant to the provisions of 16 V.S.A. § 4015 in connection with any school located within the new member.

Sec. E.514 State teachers’ retirement system

(a) In accordance with 16 V.S.A. § 1944(g)(2), the annual contribution to the State Teachers’ Retirement System (STRS) shall be \$126,197,389 of which \$120,247,389 shall be the State’s contribution and \$5,950,000 shall be

contributed from local school systems or educational entities pursuant to 16 V.S.A. § 1944c.

(b) In accordance with 16 V.S.A. § 1944(c)(2), of the annual contribution, \$7,116,765 is the “normal contribution,” and \$119,080,624 is the “accrued liability contribution.”

Sec. E.515 Retired teachers’ health care and medical benefits

(a) In accordance with 16 V.S.A. § 1944b(b)(2), \$31,067,652 will be contributed to the Retired Teachers’ Health and Medical Benefits Fund.

Sec. E.515.1 PREFUNDING OF THE RETIRED TEACHERS’ HEALTH CARE AND MEDICAL BENEFITS FUND

(a) Of the amount appropriated in Sec. B.515 of this act, \$2,400,000 is intended to prefund the Retired Teachers’ Health and Medical Benefits Fund at the earliest possible date.

* * * HIGHER EDUCATION * * *

Sec. E.600 University of Vermont

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

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

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

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

Sec. E.602 Vermont state colleges

(a) The Commissioner of Finance and Management shall issue warrants to pay one-twelfth of this appropriation to the Vermont State Colleges on or

about the 15th day of each calendar month of the year.

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

Sec. E.602.1 VERMONT STATE COLLEGES TUITION

(a) Of the amount appropriated in Sec. B.602 of this act, \$2,500,000 is intended to mitigate tuition increases for one year.

Sec. E.603 Vermont state colleges – allied health

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

(b) The Vermont State Colleges shall use the Global Commitment funds appropriated in this section to support the dental hygiene, respiratory therapy, and nursing programs which graduate approximately 315 health care providers annually. These graduates deliver direct, high-quality health care services to Medicaid beneficiaries or uninsured or underinsured persons, or both.

Sec. E.603.1 UNIVERSITY OF VERMONT AND VERMONT STATE COLLEGES SYSTEM EFFICIENCIES AND IMPROVED RETENTION AND GRADUATION RATES

(a) The University of Vermont (UVM) and the Vermont State Colleges System (VSCS) shall:

(1) collaborate to identify cost efficiencies that would benefit both institutions. Such efficiencies may include costs related to employee health care benefits, purchasing, and the processing of accounts payable, accounts receivable, and payroll; and

(2) collaborate to implement strategies to increase retention and graduation rates at the University of Vermont and each of the colleges in the VSCS.

(b) UVM and the VSCS shall submit an interim report to the Senate and House Committees on Appropriations and the Senate and House Committees on Education on or before October 15, 2019. This report shall include:

(1) preliminary recommendations for efficiencies that should be pursued;

(2) the estimated amount of annual savings;

(3) any one-time funds needed to implement the efficiencies;

(4) any further efficiencies that should be explored; and

(5) preliminary recommendations regarding strategies to increase retention and graduation rates.

(c) If the interim report is not submitted or when submitted does not include any recommendations pursuant to subdivisions (b)(1) and (b)(5) of this section, a new working group shall immediately be created as defined in Sec. E.603.2 of this act.

**Sec. E.603.2 UVM AND VSCS EFFICIENCIES AND IMPROVED
RETENTION AND GRADUATION RATES
WORKING GROUP**

(a) In the event that the provisions of Sec. E.603.1 of this act do not occur there shall be established a UVM and VSCS Efficiencies and Improved Retention and Graduation Rates Working Group as follows:

(b) Membership. The Working Group shall consist of seven members as follows:

(1) two members of the Senate, one each from the Committees on Appropriations and Education, appointed by the Committee on Committees;

(2) two members of the House, one each from the Committees on Appropriations and Education, appointed by the Speaker of the House;

(3) the Commissioner of Finance and Management or designee;

(4) one person representing the University of Vermont, selected by the President of the University; and

(5) one person representing the Vermont State Colleges System, selected by the Chancellor.

(c) Meetings. The Working Group may meet up to four times. For attending a meeting of the Working Group when he or she is not receiving compensation as a member of the General Assembly, a member of the Working Group who is a member of the General Assembly shall be entitled to the same per diem compensation and reimbursement for necessary expenses as provided members of standing committees under 2 V.S.A. § 406.

(d) Report. The Working Group shall submit a report to the Senate and House Committees on Appropriations and the Senate and House Committees on Education on or before December 15, 2019. This report shall include:

(1) recommendations for efficiencies that should be pursued;

(2) the estimated amount of annual savings;

(3) any one-time funds needed to implement the efficiencies;

(4) any further efficiencies that should be explored; and

(5) recommendations regarding strategies to increase retention and graduation rates.

Sec. E.605 Vermont student assistance corporation

(a) Of this appropriation, \$25,000 is appropriated from the General Fund to the Vermont Student Assistance Corporation to be deposited into the Trust Fund established in 16 V.S.A. § 2845.

(b) Of this appropriation, not more than \$200,000 may be used by the Vermont Student Assistance Corporation for a student aspirational pilot initiative to serve one or more high schools.

(c) Of the appropriated amount remaining after accounting for subsections (a) and (b) of this section, not less than 93 percent of this appropriation shall be used for direct student aid.

Sec. E.605.1 [Deleted.]

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

(a) The sum of \$85,000 shall be transferred to the Vermont Student Assistance Corporation (VSAC) from Sec. E.504.2(a)(1) and (b) of this act (flexible pathways funds appropriated for need-based stipend purposes) to fund a flat-rate, need-based stipend or voucher program for financially needy students enrolled in a dual enrollment course pursuant to 16 V.S.A. § 944 or in early college pursuant to 16 V.S.A. § 946 to be used for the purchase of books, cost of transportation, and payment of fees. VSAC shall establish the criteria for program eligibility. Funds shall be granted to eligible students on a first-come, first-served basis until funds are depleted.

(b) VSAC shall report on the program to the House Committees on Appropriations and on Commerce and Economic Development and to the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before January 15, 2020.

* * * NATURAL RESOURCES * * *

Sec. E.700 24 V.S.A. § 4752 is amended to read:

§ 4752. DEFINITIONS

As used in this chapter:

* * *

(20) “Hardship municipality” means a municipality served by a municipally owned public community water system that:

(A) has a residential population of 250 or less;

(B) has an annual household user cost that exceeds \$1,000.00 or 1.5 percent of the median household income after construction of the water supply improvements project as determined by the Secretary; and

(C) requires improvements to address an imminent public health hazard or a substantial threat to public health as determined by the Secretary.

Sec. E.700.1 24 V.S.A. § 4769 is added to read:

§ 4769. LOANS TO HARDSHIP MUNICIPALITIES

(a) Waiver of bond vote. A hardship municipality may receive a loan for an eligible project that includes a loan subsidy of up to \$200,000.00 in the form of 100 percent principal forgiveness with no interest or administrative fee from funds authorized in 24 V.S.A. § 4753(a)(3), subject to the availability of such loan subsidy. Notwithstanding the provisions of subdivision 4755(a)(3) of this title, the loan is not required to be evidenced by a municipal bond up to the amount to be forgiven.

(b) Waiver of reimbursement method required in statute. Notwithstanding the provisions of subsection 4755(b) of this title, loan funds may be disbursed to a hardship municipality for its approved project upon receipt by the Department of eligible project invoices without prior payment by the municipality.

Sec. E.700.2 LOANS TO HARDSHIP MUNICIPALITIES; REPORT

(a) For loans to hardship municipalities described in Sec. E.700.1 of this act, on or before January 15, 2020, the Secretary of Natural Resources shall submit a report to the Senate Committees on Institutions and on Appropriations and to the House Committees on Corrections and Institutions and on Appropriations with the projected demand, municipal eligibility, long-term impact on availability of loan subsidy for other purposes, and a recommendation on options for prioritizing projects.

(b) The State shall work with any hardship municipality that receives a loan under 24 V.S.A. § 4769 to develop a State approved asset management plan that includes a capital improvement plan.

Sec. E.702 WATER QUALITY TREATMENT AND TESTING:
SALISBURY FISH HATCHERY

(a) The Department of Fish and Wildlife and the Department of Environmental Conservation shall review the water quality treatment and testing currently implemented at the Salisbury fish hatchery. On or before January 15, 2022, the Department of Environmental Conservation and the Department of Fish and Wildlife, where appropriate, shall modify the water

quality treatment and testing requirements at the hatchery in order to bring the hatchery into compliance with the Vermont water quality standards. The review conducted by the Department of Fish and Wildlife and the Department of Environmental Conservation shall include evaluation of:

- (1) modifications to the discharge point of compliance at the hatchery;
- (2) rate of discharge from the hatchery;
- (3) the placement of the discharge output for the hatchery;
- (4) potential discharge treatment systems designed to bring the hatchery into compliance with the Vermont water quality standards; and
- (5) an evaluation of the appropriate monitoring and sampling protocols of the receiving State waters.

(b) Beginning on January 15, 2020, and annually thereafter until January 15, 2023, the Department of Fish and Wildlife, after consultation with the Department of Environmental Conservation, shall report to the House Committees on Natural Resources, Fish, and Wildlife, on Corrections and Institutions, on Appropriations, and on Ways and Means and the Senate Committees on Natural Resources and Energy, on Institutions, on Finance, and on Appropriations regarding implementation of the modifications resulting from the review required under subsection (a) of this section.

Sec. E.711 ENVIRONMENTAL CONTINGENCY FUND; BENNINGTON WATER LINE EXTENSION

(a) In fiscal year 2019, there is transferred \$2,500,000 from the General Fund from a settlement with multiple gasoline refiners related to contamination from the gasoline additive methyl tertiary-butyl ether to the Environmental Contingency Fund established pursuant to 10 V.S.A. § 1283 for the purpose of extending municipal water to contaminated properties in the Town of Bennington.

Sec. E.711.1 BENNINGTON WATER LINE EXTENSION

(a) Waiver of bond vote. The Town of Bennington shall receive a loan for the Operational Unit C / Chapel Road Project in an amount of up to \$1,500,000 to receive a loan subsidy in the form of 100 percent principal forgiveness with no interest or administrative fee from funds authorized in 24 V.S.A. § 4753(a)(3). Notwithstanding the provisions of 24 V.S.A. § 4755(a)(3), the loan is not required to be evidenced by a municipal bond.

(b) Waiving reimbursement method required in statute. Notwithstanding the provisions of 24 V.S.A. § 4755(b), loan funds may be disbursed to the Town of Bennington for Operational Unit C / Chapel Road Project upon

receipt by the Agency of Natural Resources of eligible project invoices without prior payment by the Town.

(c) Cost recovery of loan funds. The loan provided pursuant to this section is to implement a remedial action approved by the Agency of Natural Resources and shall be recoverable from any person responsible for the release of a hazardous material in the same manner as funds spent pursuant to 10 V.S.A. § 1283.

Sec. E.711.2 10 V.S.A. § 1283 is amended to read:

§ 1283. CONTINGENCY FUND

* * *

(b) Disbursements under this subsection may be made for emergency purposes or to respond to other than emergency situations; provided, however, that disbursements in response to an individual situation that is not an emergency situation shall not exceed \$100,000.00 for costs attributable to each of the subdivisions of this subsection, unless the Secretary has received the approval of the General Assembly, or the Joint Fiscal Committee, in case the General Assembly is not in session. Furthermore, the balance in the Fund shall not be drawn below the amount of \$100,000.00, except in emergency situations. If the balance of the Fund becomes insufficient to allow a proper response to one or more emergencies that have occurred, the Secretary shall appear before the Emergency Board, as soon as possible, and shall request that necessary funds be provided. Within these limitations, disbursements from the Fund may be made:

* * *

(6) to pay administrative and field supervision costs incurred by the Secretary or by a municipality at the direction of the Secretary in carrying out the provisions of this subchapter. Annual disbursements, for these costs, to the Department of Environmental Conservation under this subdivision shall not exceed ~~2.0~~ 2.5 percent of annual revenues;

* * *

* * * TRANSPORTATION * * *

Sec. E.903 Transportation – program development

(a) Of the Transportation Funds appropriated in Sec. B.903 of this act, \$300,000 shall be allocated for vehicle incentive and emissions repair programs. This funding allocation in combination with the appropriation in Sec. C.100(b)(2) of this act provides a total funding amount of \$2,000,000 for vehicle incentive and emissions repair programs.

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then the appropriation of Transportation Funds in Sec. B.903 of this act is decreased by \$845,416 and the appropriation of federal funds is increased by \$845,416.

Sec. E.903.1 [Deleted.]

Sec. E.915 Transportation – town highway aid program

(a) This appropriation is authorized notwithstanding the provisions of 19 V.S.A. § 306(a).

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then spending authority and appropriation of Transportation Funds for grants is increased by \$645,416.

Sec. E.919 Transportation – municipal mitigation assistance program

(a) Notwithstanding Sec. 6(a) of 2019 H.529, an act relating to the Transportation Program and miscellaneous changes to laws related to transportation, spending authority for grants in the Municipal Mitigation Assistance Program in the Agency of Transportation's Proposed Fiscal Year 2020 Transportation Program (Revised February 21, 2019) is increased by \$770,000 in special funds from the Clean Water Fund as appropriated in Sec. B.919 of this act.

(b) If the Agency of Transportation's fiscal year 2019 maintenance of effort requirement is attained and toll credits are approved by the Federal Highway Administration in fiscal year 2020, then spending authority and the appropriation of Transportation Funds is increased by \$200,000.

* * * MISCELLANEOUS * * *

Sec. F.100 MEALS AND ROOMS TAX ALLOCATION FOR FISCAL
YEAR 2020

(a) Notwithstanding any provision of law to the contrary, for fiscal year 2020 only, any revenue from the meals and rooms taxes in excess of \$7,500,000 that would be deposited in the Clean Water Fund under 10 V.S.A. § 1388(a)(4) shall instead be deposited in the General Fund.

* * * EFFECTIVE DATES * * *

Sec. G.100 EFFECTIVE DATES

(a) This section and Secs. C.100 (fiscal year 2019 one-time appropriations), C.101 (fiscal year 2019 one-time transfer), C.102 (fiscal year

2019 fund transfers, reversions and reserves), C.102.1 (fiscal year 2019 contingent transfers and appropriations), C.102.2 (fiscal year 2019 Secretary of State fund balance), C.103 (fiscal year Tobacco Litigation Settlement Fund transfer and yearend balance), C.104-C.107 (fiscal year 2019 budget adjustments; Legislative Branch), C.108-C.109 (fiscal year 2019 budget adjustments, Agency of Education), C.110-C.113 (fiscal year 2019 budget adjustments, teachers' retirement system and health and medical benefits), C.114 (Green Mountain Secure Retirement Plan), C.116 (fiscal year 2019 budget adjustment, one-time appropriations), C.117 (loan authorization and funding source), E.112 (energy efficiency; State buildings and facilities), E.127-E.127.2 (Joint Fiscal Committee, grants acceptance language), E.233.1 (Public Service transfer), E.301.2 (mental health and substance use disorder workforce), E.312.1 (report; promotion of immunization), E.318.2 (early childcare and development program cessation), E.318.4 (Bright Futures Information System), E.318.5 (child care workforce grants, continuing education), E.318.6 (child care curriculum), E.329 (transfer of nursing home licensed beds; review process), E.329.1 (18 V.S.A. § 9434(a); licensed nursing home beds exception) E.507 (small schools grant, preserving eligibility, prohibiting duplicate grants), and E.711-E.711.1 (Bennington water line funding and extension), shall take effect upon passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. C.115 (special fund appropriation for tax computer systems) shall take effect on passage and shall apply retroactively to January 1, 2019.

(c) Sec. E.308.1 (personal needs allowance reset) shall take effect on January 1, 2020.

(d) Sec. E.329.2 (18 V.S.A. § 9434(a); repeal of licensed nursing home beds exception) shall take effect on July 1, 2020.

(e) All remaining sections shall take effect on July 1, 2019.

After passage, the title of the bill is to be amended to read:

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

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, on motion of Senator Pearson, the Senate refused to concur in the House proposal of amendment and adhered.

Thereupon, on motion of Senator Pearson, the rules were suspended and the bill was ordered messaged to the House forthwith.

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

H. 107.

House bill entitled:

An act relating to paid family and medical leave.

Was taken up.

Thereupon, pending third reading of the bill, Senators Sirotkin, Balint and Clarkson moved to amend the Senate proposal of amendment by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PURPOSE

It is the intent of the General Assembly that:

(1) the Family and Medical Leave Insurance Program established by this act shall provide employees with affordable Family and Medical Leave Insurance benefits;

(2) the Commissioner of Financial Regulation shall seek a private insurance carrier to provide the benefits required under the Program;

(3) if the Commissioner is able to identify an insurance carrier that can provide the required benefits in a more cost-effective manner than would be possible if benefits were provided by the State, the Commissioner shall enter into a contract with that insurance carrier to administer the Program and provide the benefits required by this act beginning in October of 2020; and

(4) if the Commissioner is unable to identify a suitable insurance carrier, the Program shall be administered by the Department of Labor in coordination with the Departments of Financial Regulation and of Taxes, and benefits shall become available beginning in July of 2021.

Sec. 2. 21 V.S.A. chapter 5, subchapter 13 is added to read:

Subchapter 13. Family and Medical Leave Insurance

§ 571. DEFINITIONS

As used in this subchapter:

(1) "Average weekly wage" means the employee's total wages from his or her two highest-earning quarters in the last four completed calendar quarters divided by 26.

(2) "Bonding leave" means a leave of absence from employment by an employee for:

(A) the employee's pregnancy;

(B) the birth of the employee's child; or

(C) the initial placement of a child 18 years of age or younger with the employee for the purpose of adoption or foster care.

(3) "Domestic partner" has the same meaning as in 17 V.S.A. § 2414.

(4) "Employee" means an individual who receives payments with respect to services performed for an employer from which the employer is required to withhold Vermont income tax pursuant to 32 V.S.A. chapter 151, subchapter 4.

(5) "Employer" means an individual, organization, governmental body, partnership, association, corporation, legal representative, trustee, receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air, or express company doing business in or operating within this State.

(6) "Family care leave" means a leave of absence from employment by an employee for a serious illness of the employee's family member.

(7) "Family member" means:

(A) the employee's child or foster child;

(B) a step child or ward who lives with the employee;

(C) the employee's spouse, domestic partner, or civil union partner;

(D) the employee's parent or the parent of the employee's spouse, domestic partner, or civil union partner;

(E) the employee's sibling;

(F) the employee's grandparent;

(G) the employee's grandchild; or

(H) a child for whom the employee stands in loco parentis or an individual who stood in loco parentis for the employee when he or she was a child.

(8) "In loco parentis" means a child for whom the employee has day-to-day responsibilities to care for and financially support, or, in the case of the employee, an individual who had such responsibility for the employee when he or she was a child.

(9) "Medical leave" means a leave of absence from employment by an employee for his or her own serious illness.

(10) "Qualified employee" means an employee who has:

(A) earned wages from which contributions were withheld pursuant to sections 573 and 574 of this subchapter during at least two of the last four completed calendar quarters; and

(B) earned wages from which contributions were withheld pursuant to sections 573 and 574 of this subchapter during the last four completed calendar quarters in an amount that is equal to or greater than 1,040 hours at the minimum wage established pursuant to section 384 of this chapter.

(11) “Serious illness” means an accident, disease, or physical or mental condition that:

(A) poses imminent danger of death;

(B) requires inpatient care in a hospital; or

(C) requires continuing in-home care under the direction of a physician.

(12) “Vermont average weekly wage” means the most recent average weekly wage for Vermont as calculated by the U.S. Bureau of Labor Statistics.

(13) “Wages” means payments that are included in the definition of wages set forth in 26 U.S.C. § 3401.

§ 572. FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM;
ADMINISTRATION

(a) The Family and Medical Leave Insurance Program is established in the Department of Labor for the provision of Family and Medical Leave Insurance benefits to eligible employees pursuant to this section.

(b)(1) The Commissioner of Financial Regulation shall endeavor to identify and contract with a suitable insurance company to provide paid family and medical leave insurance in accordance with this subchapter.

(2)(A) On or before July 1, 2019, the Commissioner of Financial Regulation, in consultation with the Commissioners of Human Resources, of Labor, and of Taxes, shall develop and issue a request for information related to the provision of family and medical leave insurance by a private insurance carrier on behalf of the State that satisfies the requirements of this subchapter. The request for information shall also seek input regarding the cost and administrative feasibility of the insurance carrier administering the collection of contributions on behalf of the Department of Taxes pursuant to section 574 of this subchapter.

(B) Responses to the request for information shall be due on or before August 15, 2019.

(3) On or before September 1, 2019, the Commissioner of Financial Regulation, in consultation with the Commissioners of Human Resources, of Labor, and of Taxes, shall develop and issue a request for proposals for an insurance carrier to provide family and medical leave insurance that satisfies the requirements of this subchapter. An insurance carrier shall not be selected unless it can demonstrate that it would be able to provide the required insurance benefits and comply with the provisions of this subchapter in a more cost-effective manner than if the Family and Medical Leave Insurance Program were administered by the State.

(4) The Commissioner of Financial Regulation, in consultation with the Commissioners of Human Resources, of Labor, and of Taxes, shall evaluate the proposals received in response to the request for proposals and shall select, on or before November 15, 2019, the proposal that the Commissioner determines:

(A) best satisfies the requirements of this subchapter;

(B) will provide the required insurance benefits and comply with the provisions of this subchapter in a more cost-effective manner than if the Family and Medical Leave Insurance Program were administered by the State; and

(C) delivers the greatest value to the State and Vermont's employees and employers.

(5) An agreement with an insurance carrier to provide family and medical leave insurance pursuant to this section shall include provisions that:

(A) permit the Commissioner of Financial Regulation to terminate the agreement for noncompliance with this chapter; and

(B) in the event the General Assembly enacts legislation providing for mandatory coverage for medical leave, require the Commissioner of Financial Regulation and the insurance carrier to reopen the agreement to make any amendments that are necessary to ensure that the agreement complies with the requirements of the legislation.

(6)(A) An agreement with an insurance carrier pursuant to this subsection shall be for a period of not more than four years.

(B) Not later than six months prior to the expiration of the agreement pursuant to this subsection, the Commissioner of Financial Regulation shall determine whether to renew the agreement for an additional period of not more than four years or to issue a new request for proposals for an insurance carrier to provide family and medical leave insurance that satisfies the requirements of this subchapter.

(7) The insurance carrier shall have its books and financial records related to the provision of family and medical leave insurance pursuant to this subchapter audited annually and shall provide a copy of the annual audit to the Commissioner of Financial Regulation.

(c)(1) In the event that the Commissioner of Financial Regulation is unable to secure a suitable insurance carrier pursuant to subsection (b) of this section, the Paid Family and Medical Leave Insurance Program shall be administered by the Department of Labor pursuant to the provisions of this subchapter.

(2) In the event that the Paid Family and Medical leave Insurance Program is administered by the Department of Labor, the Commissioner of Labor may contract with one or more third-party administrators for actuarial support, Program and fund administration, the processing of benefits claims and payments, and the initial determination of appeals.

§ 573. CONTRIBUTIONS

(a) An employer that does not elect to meet its obligations under this subchapter as provided pursuant to section 577 shall remit the contributions required by subsection (b) of this section to the Commissioner of Taxes on a quarterly basis as provided pursuant to 32 V.S.A. § 5842(a)(1) beginning with the calendar quarter that starts on April 1, 2020.

(b)(1)(A) Contributions for bonding and family care insurance shall be equal to 0.20 percent of each employee's covered wages.

(B) Contributions for medical leave benefits for employees who have elected to obtain coverage pursuant to section 577a of this subchapter shall be equal to 0.38 percent of the employee's covered wages.

(2) An employer shall have the option of paying some or all of the contributions due from an employee's covered wages or may deduct and withhold the full amount of the contribution due from the employee's covered wages.

(c) As used in this section, the term "covered wages" shall include all wages paid to an employee up to the amount of the maximum Social Security Taxable Wage.

(d)(1) The General Assembly shall annually review and, if necessary, adjust the rates of contribution established pursuant to subsection (b) of this section for the next fiscal year. The rates shall equal the amount necessary to provide Family and Medical Leave Insurance benefits pursuant to this subchapter, to administer the Family and Medical Leave Insurance Program during the next fiscal year, and, if a reserve is necessary, to ensure that it is adequately funded.

(2) On or before February 1 of each year, the Commissioner of Financial Regulation, in consultation with the insurance carrier that the State has contracted with, if any, and the Commissioners of Labor and of Taxes, shall report to the General Assembly the rates of contribution necessary to provide Family and Medical Leave Insurance benefits pursuant to this subchapter, to administer the Program during the next fiscal year, and, if a reserve is necessary, to ensure that it is adequately funded.

§ 574. COLLECTION OF CONTRIBUTIONS; REMITTANCE

(a) The Commissioner of Taxes shall collect all contributions required pursuant to section 573 of this subchapter and deposit them into the Family and Medical Leave Insurance Special Fund.

(b)(1) The Commissioner of Taxes shall require the withholding of the contributions required pursuant to section 573 of this subchapter from wages paid by any employer, as if the contributions were an additional Vermont income tax subject to the withholding requirements of 32 V.S.A. § 5841(a). The administrative and enforcement provisions of 32 V.S.A. chapter 151, subchapter 4 shall apply to the withholding requirement under this section as if the contributions withheld were a Vermont income tax.

(2) An employer that has received approval from the Commissioner of Financial Regulation for an alternative insurance or benefit plan pursuant to the provisions of section 577 shall not be required to withhold contributions pursuant to this section.

(c)(1) The Commissioner of Taxes may enter into a memorandum of understanding with the private insurance carrier contracted with by the Commissioner of Financial Regulation pursuant to section 572 of this subchapter, the Commissioner of Financial Regulation, or the Commissioner of Labor as necessary to carry out the provisions of this section.

(2) The Commissioner of Taxes may contract with the private insurance carrier contracted with by the Commissioner of Financial Regulation pursuant to section 572 of this subchapter to administer the collection of contributions pursuant to this section.

§ 575. BENEFITS

(a)(1) A qualified employee shall be permitted to receive a total of not more than 12 weeks of Family and Medical Leave Insurance benefits in a calendar year, which may include:

(A) up to 12 weeks of benefits for bonding leave taken by the employee, provided that if both parents are qualified employees they shall be permitted to receive a combined total of not more than 16 weeks of Parental

and Family Leave Insurance benefits in a calendar year for bonding leave;

(B) up to eight weeks of benefits for family care leave taken by the employee; and

(C) for an employee who has elected to obtain medical leave coverage pursuant to the provisions of section 577a of this subchapter, up to six weeks of benefits for medical leave taken by the employee.

(2) Notwithstanding subdivision (1)(B) of this subsection, with respect to a serious illness of an individual who is a sibling or grandparent of one or more qualified employees, the qualified employees who are a sibling or grandchild of that individual shall be permitted to receive a combined total of not more than six weeks of Parental and Family Leave Insurance benefits in a calendar year for family care leave related to that individual.

(b)(1) The weekly benefit amount for a qualified employee awarded Family and Medical Leave Insurance benefits under this section shall be determined as follows:

(A) the portion of the qualified employee's average weekly wage that is less than or equal to 55 percent of the Vermont average weekly wage shall be replaced at a rate of 90 percent; and

(B) the portion of the qualified employee's average weekly wage that is greater than 55 percent of the Vermont average weekly wage shall be replaced at a rate of 55 percent.

(2) Notwithstanding subdivision (1) of this subsection, no qualified employee may receive Parental and Family Leave Insurance benefits that exceed the Vermont average weekly wage.

(c)(1)(A) Each qualified employee shall complete a waiting period before he or she may receive benefits for a medical leave or family care leave.

(B) The waiting period shall consist of the first five calendar days in a calendar year for which the qualified employee would otherwise be eligible to receive benefits for a medical leave or family care leave.

(C) Family and Medical Leave Insurance benefits shall not be payable for any day in the waiting period.

(2) A qualified employee shall only have one waiting period in a calendar year.

(3) No waiting period shall be required before a qualified employee is eligible to receive Family and Medical Leave Insurance benefits in relation to a bonding leave.

(d) A qualified employee may receive Family and Medical Leave Insurance benefits for an intermittent leave or leave for a portion of a week. The benefit amount for an intermittent leave or leave for a portion of a week shall be calculated in increments of one full day or one fifth of the qualified employee's weekly benefit amount.

(e) Family and Medical Leave Insurance benefits paid pursuant to this subchapter may be used as wage replacement for a leave taken pursuant to section 472 of this title or the federal Family and Medical Leave Act, 29 U.S.C. §§ 2611–2654. The receipt of benefits paid pursuant to this subchapter shall not extend the leave provided pursuant to section 472 of this title or the federal Family and Medical Leave Act.

(f)(1) A qualified employee shall not be permitted to receive Family and Medical Leave Insurance benefits for any day for which he or she is receiving:

(A) wages;

(B) payment for the use of vacation leave, sick leave, or other accrued paid leave;

(C) payment pursuant to a disability insurance plan;

(D) unemployment insurance benefits pursuant to chapter 17 of this title or the law of any other state; or

(E) compensation for temporary partial disability or temporary total disability pursuant to chapter 9 of this title, the workers' compensation law of any state, or any similar law of the United States.

(2) Notwithstanding subdivision (1) of this subsection, an employer may provide its employees with additional income to supplement the amount of the benefits provided pursuant to this section provided that the sum of the additional income and the benefits provided pursuant to this section does not exceed the employee's average weekly wage.

§ 576. APPLICATION FOR BENEFITS; PAYMENT; TAX
WITHHOLDING

(a) A qualified employee, or his or her agent, shall file an application for Family and Medical Leave Insurance benefits under this subchapter on a form approved by the Commissioner of Labor. The determination of whether the qualified employee is eligible to receive Family and Medical Leave Insurance benefits shall be based on the following criteria:

(1) The claim is for a bonding leave, a family care leave, or, if applicable, a medical leave and the need for the leave is adequately documented.

(2) The claimant satisfies the requirements to be a qualified employee as defined pursuant to subdivision 571(10) of this subchapter.

(3) The claimant has specified the anticipated start date and duration of the leave.

(b)(1) A determination shall be made in relation to each claim within not more than five business days after the date the claim is filed. The time to make a determination on a claim may be extended by not more than 15 business days if necessary to obtain documents or information that are needed to make the determination.

(2) An application for Family and Medical Leave Insurance benefits may be filed:

(A) up to 60 days before an anticipated leave; or

(B) in the event of a premature birth or an unanticipated serious illness, within 60 days after the leave begins.

(3)(A) Benefits shall be paid to a qualified employee for the time period beginning on the day his or her leave began less any waiting period required pursuant to subsection 575(c) of this subchapter.

(B) The first benefit payment shall be sent to the qualified employee within 14 days after the leave begins or the claim is approved, whichever is later, and subsequent payments shall be sent biweekly.

(4) The provisions of section 1367 of this title shall apply to Family and Medical Leave Insurance benefits.

(c)(1) An individual filing a claim for Family and Medical Leave Insurance benefits shall, at the time of filing, be advised that Family and Medical Leave Insurance benefits may be subject to income tax and that the individual's benefits may be subject to withholding.

(2) All procedures specified by 26 U.S.C. chapter 24 and 32 V.S.A. chapter 151, subchapter 4 pertaining to the withholding of income tax shall be followed in relation to the payment of Family and Medical Leave Insurance benefits.

(d) As used in this section, "agent" means an individual who holds a valid power of attorney for the employee or other legal authorization to act on the employee's behalf that is acceptable to the Commissioner of Labor.

§ 577. EMPLOYER OPTION; ALTERNATIVE INSURANCE OR BENEFITS

(a) As an alternative to and in lieu of participating in the Family and

Medical Leave Insurance Program, an employer may, upon approval by the Commissioner of Financial Regulation, comply with the requirements of this subchapter through the use of an alternative insurance plan or benefit plan that provides to all of its employees benefits for bonding and family care leave that are equivalent to or more generous than the benefits provided pursuant to this subchapter. An employer may elect to provide such benefits by:

(1) establishing and maintaining to the satisfaction of the Commissioner of Financial Regulation self-insurance necessary to provide equivalent or more generous benefits;

(2) purchasing insurance coverage for the payment of equivalent or more generous benefits from any insurance carrier authorized to provide family and medical leave insurance in this State;

(3) establishing an employee benefits plan that provides equivalent or more generous benefits; or

(4) any combination of subdivisions (1) through (3) of this subsection.

(b)(1) The Commissioner of Financial Regulation may approve an alternative insurance or benefit plan under this section upon making a determination that it provides benefits that are equivalent to or more generous than the benefits provided pursuant to this subchapter.

(2)(A) Nothing in this section shall be construed to required that the benefits provided by an alternative insurance or benefit plan be identical to the benefits provided pursuant to this subchapter.

(B) The Commissioner shall determine whether the benefits provided by a proposed alternative insurance or benefit plan are equivalent to or more generous than the benefits provided pursuant to this subchapter by weighing the relative value of the alternative plan's length of leave, wage replacement, and cost to employees against the provisions of this subchapter.

(C) The Commissioner shall not approve an alternative insurance or benefit plan under this section unless the plan either:

(i) provides employees with coverage for medical leave for a period of at least six weeks at the same level of wage replacement as the plan provides for family care leave; or

(ii) offers employees the option to obtain, at a reasonable cost, coverage for medical leave for a period of at least six weeks at the same level of wage replacement as the plan provides for family care leave.

(c)(1) Except as otherwise provided pursuant to subdivision (4) of this subsection, an alternative insurance or benefit plan shall only be permitted to

become effective on January 1 following its approval and shall remain in effect until it is discontinued pursuant to subdivision (3) of this subsection.

(2)(A) An employer shall submit an application to the Commissioner of Financial Regulation for approval of a new or modified alternative insurance or benefit plan on or before October 15 of the calendar year prior to when it shall take effect.

(B) The Commissioner shall make a determination and notify the employer of whether its application has been approved on or before December 1. If the application is approved, the Commissioner shall also provide a copy of the notice to the Commissioners of Labor and of Taxes on or before December 1.

(3) An employer may discontinue its alternative insurance or benefit plan on January 1 of any year by filing notice of its intent to discontinue the plan with the Commissioners of Financial Regulation, of Labor, and of Taxes on or before November 1 of the prior year.

(4)(A) Notwithstanding any provisions of subdivisions (1) and (2) of this subsection to the contrary, for calendar year 2020, an employer shall submit an application for a new alternative insurance or benefit plan on or before February 1.

(B) The Commissioner shall make a determination and notify the employer of whether its application has been approved on or before March 15. If the application is approved, the Commissioner shall also provide a copy of the notice to the Commissioners of Labor and of Taxes on or before March 15.

(C) Beginning on April 1, 2020, an employer that receives approval for an alternative insurance or benefit plan pursuant to this subdivision (4) shall be exempt from withholding contributions as provided pursuant to subdivision 574(b)(2) of this subchapter.

(d) Nothing in this subchapter shall be construed to diminish an employer's obligation to comply with any collective bargaining agreement or paid time off policy that provides more generous benefits than the benefits provided pursuant to this subchapter.

§ 577a. MEDICAL LEAVE COVERAGE; ELECTION

(a)(1) An employee may elect to obtain coverage for medical leave by submitting an enrollment form approved by the Commissioner of Taxes to either:

(A) his or her employer and the Commissioner of Taxes; or

(B) if his or her employer has received approval for an alternative insurance or benefits plan pursuant to section 577 of this subchapter, his or her employer.

(2) An employee who elects to enroll in medical leave coverage shall submit the form required pursuant to subdivision (a)(1) of this section not later than December 1 of the year prior to the year in which the employee intends to begin medical leave coverage.

(b)(1) An employee who has enrolled in medical leave coverage pursuant to the provisions of subsection (a) of this section shall become liable for the additional contribution amount required pursuant to subdivision 573(b)(1)(B) of this subchapter or the additional cost for medical leave coverage under his or her employer's alternative plan beginning on the next January 1 following his or her enrollment.

(2)(A) An employee who enrolls in medical leave coverage through the Family and Medical Leave Insurance Program shall remain enrolled for a minimum period of three years. At the conclusion of his or her initial three-year period, and annually thereafter, the employee may discontinue his or her medical leave coverage pursuant to subsection (c) of this section.

(B) An employee who enrolls in medical leave coverage through an alternative insurance or benefits plan offered by his or her employer shall remain enrolled for the minimum period required pursuant to the plan. At the conclusion of the minimum required period, and annually thereafter, the employee may discontinue his or her medical leave coverage pursuant to subsection (c) of this section.

(3) The employee shall be liable for the additional medical leave contribution amount required pursuant to subdivision 573(b)(1)(B) of this subchapter or the additional cost for medical leave coverage under his or her employer's alternative plan until he or she discontinues medical leave coverage pursuant to subsection (c) of this section.

(4) The employee shall become eligible to use medical leave benefits upon satisfying the requirements to be a qualified employee pursuant to subdivision 571(10) of this subchapter or meeting the eligibility requirements for his or her employer's alternative insurance or benefits plan, as appropriate.

(c)(1) An employee may discontinue medical leave coverage by submitting, not later than December 1, of the year prior to the calendar year in which the employee intends to discontinue coverage, a form approved by the Commissioner of Taxes to either:

(A) his or her employer and the Commissioner of Taxes; or

(B) if his or her employer has received approval for an alternative insurance or benefits plan pursuant to section 577 of this subchapter, his or her employer.

(2) On the next January 1 after the timely submission of the form required pursuant to subdivision (1) of this subsection, the employee shall no longer:

(A) be eligible for medical leave benefits; and

(B) be liable for the additional contribution amount required pursuant to subdivision 573(b)(1)(B) of this subchapter or the additional cost for medical leave coverage under his or her employer's alternative plan.

(d)(1) An employee who is ceasing employment in Vermont or becoming self-employed may discontinue his or her medical leave coverage effective on his or her last day of employment by submitting a form approved by the Commissioner of Taxes to either:

(A) his or her employer and the Commissioner of Taxes; or

(B) if his or her employer has received approval for an alternative insurance or benefits plan pursuant to section 577 of this subchapter, his or her employer.

(2) Upon the effective date of the employee's discontinuation of coverage, he or she shall no longer be:

(A) eligible for medical leave benefits; and

(B) liable for the additional contribution amount required pursuant to subdivision 573(b)(1)(B) of this subchapter or the additional cost for medical leave coverage under his or her employer's alternative plan.

(e)(1) For an employee who has elected to obtain medical leave coverage through the Family and Medical Leave Insurance Program:

(A) If during the initial three-year period, he or she experiences a break in employment and is subsequently rehired by any employer participating in the Family and Medical Leave Insurance Program, the employee shall remain enrolled in medical leave coverage and the period of his or her break in employment shall count toward the initial three-year period.

(B) If at any time, he or she separates from employment with an employer that is participating in the Family and Medical Leave Insurance Program in order to take a job with another employer that is participating in the Family and Medical Leave Insurance Program, the employee shall remain enrolled in medical leave coverage and, if applicable, the period of any break in employment shall count toward the initial three-year period.

(C) If at any time, he or she separates from employment with an employer that is participating in the Family and Medical Leave Insurance Program and subsequently begins employment with an employer that has received approval for an alternative insurance or benefits plan pursuant to section 577 of this subchapter, the employee's medical leave coverage under the Family and Medical Leave Insurance Program shall cease on the day he or she commences employment with the new employer.

(2)(A) If an employee who has elected to obtain medical leave coverage through an alternative insurance or benefits plan approved pursuant to section 577 of this subchapter separates from employment with his or her employer that has received approval for an alternative plan in order to take a job with another employer, the employee's medical leave coverage under the alternative plan shall cease on the day he or she separates from employment with the current employer.

(B) On the date the employee separates from employment, he or she shall no longer be eligible for medical leave benefits under the alternative plan, and shall no longer be liable for the additional cost for medical leave coverage under his or her former employer's alternative plan.

(f)(1) Notwithstanding any provision of subsection (a) to the contrary, an employee who elects to enroll in medical leave coverage for calendar year 2020, shall, on or before March 1, 2020, submit an enrollment form approved by the Commissioner of Taxes to either:

(A) the Commissioner of Taxes and his or her employer; or

(B) if his or her employer has received approval for an alternative insurance or benefits plan pursuant to section 577 of this subchapter, his or her employer.

(2) An employee who has enrolled in medical leave coverage pursuant to the provisions of subdivision (1) of this subsection shall become liable for the additional contribution amount required pursuant to subdivision 573(b)(1)(B) of this subchapter or the additional cost for medical leave coverage under his or her employer's alternative plan beginning on April 1, 2020.

(3)(A) An employee who has enrolled pursuant to subdivision (1) of this subsection in medical leave coverage offered through the Family and Medical Leave Insurance Program shall be eligible to discontinue that coverage on January 1, 2023 by submitting the required form not later than December 1, 2022.

(B) An employee who has enrolled pursuant to subdivision (1) of this subsection in medical leave coverage offered through his or her employer's

alternative insurance or benefits plan shall be eligible to discontinue that coverage no later than January 1, 2023 by submitting the required form at least 30 days prior to the date on which his or her coverage will cease.

§ 578. DISQUALIFICATIONS

A qualified employee shall be disqualified for benefits for any week in which he or she has received:

(1) compensation for temporary partial disability or temporary total disability under the workers' compensation law of any state or under a similar law of the United States; or

(2) unemployment insurance benefits under the law of any state.

§ 579. APPEALS

(a) An employer or employee aggrieved by a decision under section 576 or 578 of this subchapter may file an initial appeal of the decision with the insurance carrier that the State has contracted with.

(b) Within 20 days after receiving notice of the insurance carrier's decision on the initial appeal, the employer or employee may appeal the decision to an administrative law judge as provided pursuant to sections 1348 and 1351–1357 of this title.

(c) Within 30 days after receiving notice of the administrative law judge's decision, either party may appeal that decision to the Supreme Court.

§ 580. FALSE STATEMENT OR REPRESENTATION; PENALTY

A person who willfully makes a false statement or representation for the purpose of obtaining any benefit or payment or to avoid payment of any required contributions under the provisions of this subchapter, either for himself or herself or for any other person, after notice and opportunity for hearing, may be assessed an administrative penalty of not more than \$20,000.00 and shall forfeit all or a portion of any right to benefits under the provisions of this subchapter, as determined to be appropriate by the Commissioner of Labor or Commissioner of Financial Regulation, as appropriate.

§ 581. REHIRING; LIMITED RIGHT; SENIORITY AND BENEFITS PROTECTED

(a)(1)(A) An employee who is not entitled to job protection pursuant to section 472 of this chapter and is separated from employment in relation to a leave for which he or she receives Family and Medical Leave Insurance benefits pursuant to this subchapter shall have a limited right to be rehired by his or her employer following the conclusion of his or her leave.

(B) The employer shall offer the employee the first available suitable position based on the position the employee held at the time his or her leave began.

(C) If the employee declines the offer, he or she shall not be entitled to any further employment offers from the employer.

(2) An employee shall not be entitled to be rehired pursuant to the provisions of this section if:

(A) the employee fails to inform the employer of:

(i) the need for the leave;

(ii) his or her interest in being rehired at the conclusion of the leave; and

(iii) the date on which his or her leave is anticipated to conclude;

(B) the employee had been given notice, or had given notice, prior to providing his or her employer with notice of the leave;

(C) the employer can demonstrate by clear and convincing evidence that during the leave, or prior to the employee's reinstatement, the employee's position would have been terminated or the employee laid off for reasons unrelated to the leave or the reason for which the employee took the leave; or

(D) the employee has exhausted his or her right to job protection for the leave pursuant to section 472 of this chapter and the federal Family and Medical Leave Act, 29 U.S.C. §§ 2611–2654.

(3) An employee's right to be rehired pursuant to the provisions of this section shall expire two years after the date on which his or her leave concluded.

(b) Upon being rehired pursuant to the provisions of this section, an employee shall regain any seniority and unused accrued paid leave he or she was entitled to prior to the leave, less any accrued paid leave used during the leave.

(c) Nothing in this section shall be construed to diminish an employee's rights pursuant to subsection 472(f) of this chapter.

(d)(1) An employee aggrieved by an employer's failure to comply with the provisions of this section may bring an action in the Civil Division of the Superior Court in the county where the employment is located for compensatory and punitive damages or equitable relief, including restraint of prohibited acts, restitution of wages or other benefits, reinstatement, costs, and other appropriate relief.

(2) A copy of the complaint shall be filed with the Commissioner of Labor.

(3) The court shall award reasonable attorney's fees to the employee if he or she prevails.

§ 582. PROTECTION FROM RETALIATION OR INTERFERENCE

(a) An employer shall not discharge or in any other manner retaliate against an employee who exercises or attempts to exercise his or her rights under this subchapter. The provisions against retaliation in subdivision 495(a)(8) of this title shall apply to this subchapter.

(b) An employer shall not interfere with, restrain, or otherwise prevent an employee from exercising or attempting to exercise his or her rights pursuant to this subchapter.

(c) An employee aggrieved by a violation of the provisions of this subchapter may bring an action in Superior Court seeking compensatory and punitive damages or equitable relief, including restraint of prohibited acts, restitution of wages or other benefits, reinstatement, costs, reasonable attorney's fees, and other appropriate relief.

§ 583. CONFIDENTIALITY OF INFORMATION

(a) Information obtained from an employer or individual in the administration of this subchapter and determinations of an individual's right to receive benefits that reveal an employer's or individual's identity in any manner shall be kept confidential and, to the extent that such information is obtained by the State, shall be exempt from public inspection and copying under the Public Records Act. Such information shall not be admissible as evidence in any action or proceeding other than one brought pursuant to the provisions of this subchapter.

(b) Notwithstanding subsection (a) of this section:

(1) an individual or his or her duly authorized agent may be provided with information to the extent necessary for the proper presentation of his or her claim for benefits or to inform him or her of his or her existing or prospective rights to benefits; and

(2) an employer may be provided with information that the Commissioner of Financial Regulation, of Labor, or of Taxes determines is necessary to enable the employer to discharge fully its obligations and protect its rights under this subchapter.

§ 584. RULEMAKING

(a) The Commissioner of Taxes shall adopt rules as necessary to implement

the provisions of section 574 of this subchapter. The rules adopted by the Commissioner of Taxes shall include:

- (1) procedures for the collection of contributions;
- (2) reporting and record-keeping requirements for employers; and
- (3) requirements for forms related to enrollment in medical leave coverage and discontinuance of medical leave coverage.

(b) The Commissioner of Financial Regulation shall adopt rules as necessary to implement the provisions of section 577 of this subchapter. The rules adopted by the Commissioner of Financial Regulation shall include requirements and criteria for the approval of an employer's alternative insurance or benefit plan pursuant to section 577 of this subchapter and for determining whether a proposed plan provides benefits that are equivalent to or more generous than the benefits provided pursuant to this subchapter.

(c)(1) The Commissioner of Labor shall adopt rules as necessary to implement all other provisions of this subchapter. The rules adopted by the Commissioner of Labor shall include:

(A) acceptable documentation for demonstrating eligibility for benefits;

(B) requirements for providing certification from a health care provider of the need for family care leave or medical leave that are modeled on the federal rules governing certification of a serious health condition under the Family and Medical Leave Act;

(C) requirements for obtaining authorization for an individual's health care provider to disclose information necessary to make a determination of the individual's eligibility for benefits;

(D) procedures for appeals pursuant to subsection 579(b) of this subchapter; and

(E) rules to permit an employee to authorize the Department, in compliance with all applicable provisions of federal law, to disclose unemployment insurance information to the insurance carrier as necessary to determine if the employee meets the requirements to be a qualified employee as defined pursuant to subdivision 571(10) of this subchapter.

(2) The Commissioner of Labor shall create a form that will permit an employee to provide informed consent for the Department to disclose unemployment insurance information to the insurance carrier as necessary to determine if the employee meets the requirements to be a qualified employee as defined pursuant to subdivision 571(10) of this subchapter. The form shall

satisfy all applicable requirements under federal law.

§ 585. FAMILY AND MEDICAL LEAVE INSURANCE SPECIAL FUND

The Family and Medical Leave Insurance Special Fund is created pursuant to 32 V.S.A. chapter 7, subchapter 5. The Fund shall consist of contributions collected from employers pursuant to section 574 of this subchapter. The Fund may be expended by the Commissioner of Taxes for the payment of premiums related to the Family and Medical Leave Insurance Program and by the Commissioners of Financial Regulation, of Labor, and of Taxes for the administration of the Family and Medical Leave Insurance Program. All interest earned on Fund balances shall be credited to the Fund.

Sec. 3. 21 V.S.A. § 586 is added to read:

§ 586. OVERPAYMENT OF BENEFITS; COLLECTION

(a)(1) Any individual who by nondisclosure or misrepresentation of a material fact, by him or her or by another person, has received Family and Medical Leave Insurance benefits when he or she failed to fulfill a requirement for the receipt of benefits pursuant to this chapter or while he or she was disqualified from receiving benefits pursuant to section 578 of this chapter shall be liable to repay to the Commissioner of Labor the amount received.

(2) Upon determining that an individual has received benefits under this chapter that he or she was not entitled to, the Commissioner of Labor shall provide the individual with notice of the determination. The notice shall include a statement that the individual is liable to repay to the Commissioner the amount of overpaid benefits and shall identify the basis of the overpayment and the time period in which the benefits were paid.

(3) The determination shall be made within not more than three years after the date of the overpayment.

(b)(1) An individual liable under this section shall repay the overpaid amount to the Commissioner for deposit into the Family and Medical Leave Insurance Special Fund.

(2) If the Commissioner finds that the individual intentionally misrepresented or failed to disclose a material fact with respect to his or her claim for benefits, in addition to the repayment under subdivision (1) of this subsection, the person shall pay an additional penalty of 15 percent of the amount of the overpaid benefits, which shall also be deposited into the Fund.

(3) The Commissioner may collect the amounts due under this section in civil action in the Superior Court.

(c) If an individual is liable to repay any amount pursuant to this section, the Commissioner may withhold, in whole or in part, any future benefits payable to the individual pursuant to this chapter and credit the withheld benefits against the amount due from the individual until it is repaid in full, less any penalties assessed under subdivision (b)(2) of this section.

(d) In addition to the remedy provided pursuant to this section, an individual who intentionally misrepresented or failed to disclose a material fact with respect to his or her claim for benefits may be subject to the penalties provided pursuant to section 580 of this title.

Sec. 4. ADOPTION OF RULES

(a) On or before January 1, 2020, the Commissioner of Taxes shall adopt rules necessary to implement the provisions of 21 V.S.A. § 574, which shall include:

- (1) procedures for the collection of contributions;
- (2) reporting and record-keeping requirements for employers; and
- (3) requirements for forms related to enrollment in medical leave coverage and discontinuance of medical leave coverage.

(b) On or before January 1, 2020, the Commissioner of Financial Regulation shall adopt rules as necessary to implement the provisions of 21 V.S.A. § 577. The rules adopted by the Commissioner of Financial Regulation shall include requirements and criteria for the approval of an employer's alternative insurance or benefit plan pursuant to 21 V.S.A. § 577 and for determining whether a proposed plan provides benefits that are equivalent to or more generous than the benefits provided pursuant to 21 V.S.A. chapter 5, subchapter 13.

(c) On or before June 1, 2020, the Commissioner of Labor shall adopt rules necessary to implement all other provisions of 21 V.S.A. chapter 5, subchapter 13, which shall include:

- (1) acceptable documentation for demonstrating eligibility for benefits;
- (2) requirements for providing certification from a health care provider of the need for family care leave or medical leave that are modeled on the federal rules governing certification of a serious health condition under the Family and Medical Leave Act;
- (3) requirements for obtaining authorization for an individual's health care provider to disclose information necessary to make a determination of the individual's eligibility for benefits;
- (4) procedures for appealing a decision pursuant to 21 V.S.A. § 579(b);

(5) the establishment of the existence of an in loco parentis relationship between an employee and another individual; and

(6) rules to permit an employee to authorize the Department, in compliance with all applicable provisions of federal law, to disclose unemployment insurance information to the insurance carrier as necessary to determine if the employee meets the requirements to be a qualified employee as defined pursuant to subdivision 571(10) of this chapter.

Sec. 5. EDUCATION AND OUTREACH

On or before June 1, 2020, the Commissioner of Labor shall develop and make available on the Department of Labor's website information and materials to educate and inform employers and employees about the Family and Medical Leave Insurance Program established pursuant to 21 V.S.A. chapter 5, subchapter 13.

Sec. 6. ESTABLISHMENT OF FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; EXPENDITURES FROM SPECIAL FUND

The Commissioner of Finance and Management may, pursuant to 32 V.S.A. § 588(4)(C), issue warrants for expenditures from the Family and Medical Leave Insurance Special Fund necessary to establish the Family and Medical Leave Insurance Program in anticipation of the receipt on or after April 1, 2020 of contributions submitted pursuant to 21 V.S.A. §§ 573 and 574.

Sec. 7. ADEQUACY OF RESERVES; REPORT

Annually, on or before January 15, 2021, 2022, and 2023, the Commissioner of Labor, in consultation with the Commissioners of Finance and Management, of Financial Regulation, and of Taxes, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance regarding the amount and adequacy of the reserves in the Family and Medical Leave Insurance Special Fund and any recommendations for legislative action necessary to ensure that an adequate reserve is maintained in the Fund.

Sec. 8. 21 V.S.A. § 471 is amended to read:

§ 471. DEFINITIONS

As used in this subchapter:

(1) "Employer" means an individual, organization or governmental body, partnership, association, corporation, legal representative, trustee,

receiver, trustee in bankruptcy, and any common carrier by rail, motor, water, air or express company doing business in or operating within this State ~~which for the purposes of parental leave~~ that employs 10 or more individuals who are employed for an average of at least 30 hours per week during a year ~~and for the purposes of family leave employs 15 or more individuals for an average of at least 30 hours per week during a year.~~

* * *

(3) "Family leave" means a leave of absence from employment by an employee who works for an employer ~~which~~ that employs ~~15~~ 10 or more individuals who are employed for an average of at least 30 hours per week during the year for one of the following reasons:

(A) the serious illness of the employee; ~~or~~

(B) the serious illness of the employee's child, ~~stepchild or ward who lives with the employee, foster child, parent, spouse or parent of the employee's spouse~~ family member;

(4) "Parental leave" means a leave of absence from employment by an employee who works for an employer ~~which~~ employs 10 or more individuals who are employed for an average of at least 30 hours per week during the year for one of the following reasons:

(C) the employee's pregnancy;

(A)(D) the birth of the employee's child; or

(B)(E) the initial placement of a child ~~16~~ 18 years of age or younger with the employee for the purpose of adoption or foster care.

(4) "Family member" means:

(A) the employee's child or foster child;

(B) a step child or ward who lives with the employee;

(C) the employee's spouse, domestic partner, or civil union partner;

(D) the employee's parent or the parent of the employee's spouse, domestic partner, or civil union partner;

(E) the employee's sibling;

(F) the employee's grandparent;

(G) the employee's grandchild; or

(H) a child for whom the employee stands in loco parentis or an individual who stood in loco parentis for the employee when he or she was a child.

* * *

(6) “Commissioner” means the Commissioner of Labor.

(7) “Domestic partner” has the same meaning as in 17 V.S.A. § 2414.

(8) “In loco parentis” means a child for whom the employee has day-to-day responsibilities to care for and financially support, or, in the case of the employee, an individual who had such responsibility for the employee when he or she was a child.

Sec. 9. 21 V.S.A. § 472 is amended to read:

§ 472. FAMILY LEAVE

(a) During any 12-month period, an employee shall be entitled to take unpaid leave for a period not to exceed 12 weeks for the following reasons:

(1) ~~for parental leave, during the employee’s pregnancy and;~~

(2) following the birth of an the employee’s child or;

(3) within a year following the initial placement of a child 16 18 years of age or younger with the employee for the purpose of adoption; or foster care;

~~(2)(4) for family leave, for the serious illness of the employee; or~~

~~(5) the serious illness of the employee’s child, stepchild or ward of the employee who lives with the employee, foster child, parent, spouse, or parent of the employee’s spouse~~ family member.

(b) During the leave, at the employee’s option, the employee may use accrued sick leave or, vacation leave or, any other accrued paid leave, ~~not to exceed six weeks~~ Family and Medical Leave Insurance benefits pursuant to subchapter 13 of this chapter, or short-term disability insurance or other insurance benefits. ~~Utilization~~ Use of accrued paid leave, Family and Medical Leave Insurance benefits, or other insurance benefits shall not extend the leave provided ~~herein~~ by this section.

* * *

(d) The employer shall post and maintain in a conspicuous place in and about each of ~~his or her~~ its places of business printed notices of the provisions of this subchapter on forms provided by the Commissioner of Labor.

(e)(1) An employee shall give his or her employer reasonable written notice of intent to take family leave under this subchapter. Notice shall include the date the leave is expected to commence and the estimated duration of the leave.

(2) In the case of the adoption or birth of a child, an employer shall not require that notice be given more than six weeks prior to the anticipated commencement of the leave.

(3) In the case of an unanticipated serious illness or premature birth, the employee shall give the employer notice of the commencement of the leave as soon as practicable.

(4) In the case of serious illness of the employee or a member of the employee's family, an employer may require certification from a physician to verify the condition and the amount and necessity for the leave requested.

(5) An employee may return from leave earlier than estimated upon approval of the employer.

(6) An employee shall provide reasonable notice to the employer of his or her need to extend the leave to the extent provided by this chapter.

* * *

(h) Except for a serious illness of the employee, an employee who does not return to employment with the employer who provided the family leave shall return to the employer the value of any compensation paid to or on behalf of the employee during the leave, except payments of Family and Medical Leave Insurance benefits and payments or for accrued sick leave ~~or~~ vacation leave, or other paid leave. An employer may elect to waive the rights provided pursuant to this subsection.

Sec. 10. 21 V.S.A. § 1344 is amended to read:

§ 1344. DISQUALIFICATIONS

(a) An individual shall be disqualified for benefits:

* * *

(5) For any week with respect to which the individual is receiving or has received remuneration in the form of:

* * *

(F) Family and Medical Leave Insurance benefits pursuant to chapter 5, subchapter 13 of this title.

* * *

Sec. 11. 21 V.S.A. § 1325 is amended to read:

§ 1325. EMPLOYERS' EXPERIENCE-RATING RECORDS; DISCLOSURE TO SUCCESSOR ENTITY

(a)(1) The Commissioner shall maintain an experience-rating record for

each employer. Benefits paid shall be charged against the experience-rating record of each subject employer who provided base-period wages to the eligible individual. Each subject employer's experience-rating charge shall bear the same ratio to total benefits paid as the total base-period wages paid by that employer bear to the total base-period wages paid to the individual by all base-period employers. The experience-rating record of an individual subject base-period employer shall not be charged for benefits paid to an individual under any of the following conditions:

* * *

(G) The individual was employed by that employer as a result of another employee taking leave under chapter 5, subchapter 13 of this title, and the individual's employment was terminated as a result of the reinstatement of the other employee following his or her leave under chapter 5, subchapter 13 of this title.

* * *

Sec. 12. SELF-EMPLOYED INDIVIDUAL; OPT-IN; REPORT

On or before January 15, 2021, the Commissioner of Labor, in consultation with the insurance carrier that the State has contracted with, if any, and the Commissioners of Financial Regulation and of Taxes, shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding the potential for permitting self-employed individuals to elect to obtain coverage through the Family and Medical Leave Insurance Program. In particular, the report shall examine the experience of other states that allow self-employed individuals to obtain coverage under their family and medical leave insurance programs, and the potential impact of permitting self-employed individuals to elect to obtain coverage through the Family and Medical Leave Insurance Program on the Program, contribution rates, and administrative costs. The report shall also include a recommendation for legislative action necessary to permit self-employed individuals to elect to obtain coverage through the Family and Medical Leave Insurance Program.

Sec. 13. POTENTIAL TRANSITION TO STATE-OPERATED FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; REPORT

On or before January 15, 2023, the Commissioner of Labor, in consultation with the Commissioners of Financial Regulation and of Taxes, shall report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding the potential for transitioning the Family and Medical Leave Insurance Program to a program that is fully administered and operated by the

State. The report shall identify the potential costs to the State of such a transition and the amount of time necessary to successfully accomplish the transition, as well as the expected impacts on contribution rates, administrative efficiency, and the experience of employers and employees. The report shall also examine and contrast the potential benefits and drawbacks of ensuring the solvency of a program that is fully administered and operated by the State by either maintaining a reserve or obtaining reinsurance. The report shall include a recommendation regarding whether the Family and Medical Leave Insurance Program should transition to a program that is fully administered and operated by the State.

Sec. 14. 3 V.S.A. § 638 is added to read:

§ 638. FAMILY AND MEDICAL LEAVE INSURANCE

(a) All State employees shall be provided with family and medical leave insurance that satisfies the requirements of 21 V.S.A. chapter 5, subchapter 13.

(b) The State shall bargain with the appropriate collective bargaining representative for each bargaining unit of State employees to determine:

(1) whether State employees will be covered by the Family and Medical Leave Insurance Program or an alternative insurance or benefit plan established pursuant to 21 V.S.A. § 577;

(2) if the State employees will be covered by the Family and Medical Leave Insurance Program, the portion of the contribution rate established pursuant to 21 V.S.A. § 573 that the State and the employees will be responsible for; and

(3) if the State employees will be covered by an alternative insurance or benefit plan established pursuant to 21 V.S.A. § 577, the cost of the program to the employees, and the length of leave and level of wage replacement that the employees will be eligible for.

(c)(1) The contribution rate determined pursuant to subdivision (b)(2) of this section or the cost of the plan to the employees determined pursuant to subdivision (b)(3) of this section shall be the same for all State employees, regardless of whether the employees are permitted to collectively bargain pursuant to 3 V.S.A. chapter 27 or 28.

(2) The length of leave and level of wage replacement determined pursuant to subdivision (b)(3) of this section shall be the same for all State employees, regardless of whether the employees are permitted to collectively bargain pursuant to 3 V.S.A. chapter 27 or 28.

(3) Notwithstanding subdivisions (1) and (2) of this subsection, the sworn Vermont State Police Officers below the rank of Lieutenant shall not be

required to have the same rate of contribution or the same cost of the plan, length of leave, and level of wage replacement as other State employees.

Sec. 15. REQUEST FOR INFORMATION; REQUEST FOR PROPOSALS;
REPORTS

(a) On or before July 15, 2019, the Commissioner of Financial Regulation shall submit a copy of the request for information to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance.

(b) On or before September 1, 2019, the Commissioner of Finance shall submit a brief summary of the responses to the request for information together with copies of all the responses to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance. The Commissioner of Financial Regulation may redact confidential business information from the copies of the responses to the request for information before submitting them.

(c) On or before September 15, 2019, the Commissioner of Financial Regulation shall submit a copy of the request for proposals to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance.

(d) On or before December 15, 2019, the Commissioner of Financial Regulation shall submit a written report summarizing the outcome of the request for proposal process to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance.

Sec. 16. PLAN FOR STATE OPERATION OF FAMILY AND MEDICAL
LEAVE INSURANCE PROGRAM; REPORT

In the event that the Commissioner of Financial Regulation is unable to secure a suitable insurance company to provide paid family and medical leave insurance pursuant to the provisions of 21 V.S.A. § 572(b), the Commissioner of Labor, in consultation with the Commissioners of Financial Regulation and of Taxes, shall, on or before January 15, 2020, submit a written report outlining a plan for the State to operate the Family and Medical Leave Insurance Program to the House Committees on Appropriations, on General, Housing, and Military Affairs, and on Ways and Means and the Senate

Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance. The report shall include a detailed explanation of how the State will implement Family and Medical Leave Insurance Program and carry out the requirements of 21 V.S.A. chapter 5, subchapter 13, including specific details and requirements related to staffing, information technology development, the development of rules and procedures, ensuring adequate reserves in the Family and Medical Leave Insurance Special Fund, and, if appropriate, the utilization of one or more third-party administrators. The report shall also include a recommendation for any legislative action necessary for the State to successfully implement the Family and Medical Leave Insurance Program.

Sec. 17. APPROPRIATIONS; POSITIONS

(a)(1) The sum of \$1,000,000.00 is appropriated from the Family and Medical Leave Insurance Special Fund to the Department of Taxes in fiscal year 2020 for temporary staffing needs related to the adoption of rules, the development of information technology systems necessary to implement the provisions of 21 V.S.A. § 574, and, if applicable, to contract with the private insurance carrier selected pursuant to 21 V.S.A. § 572 to administer the collection of Family and Medical Leave Insurance contributions.

(2) The sum of \$217,900.00 is appropriated from the Family and Medical Leave Insurance Special Fund to the Department of Labor for staffing needs related to the adoption of rules and for the development of forms, procedures, and outreach and education materials related to the Family and Medical Leave Insurance Program established pursuant to 21 V.S.A. chapter 5, subchapter 13.

(b) The establishment of one new administrator position in the Department of Labor is authorized in fiscal year 2020.

Sec. 18. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(d) The Commissioner shall disclose a return or return information:

* * *

(7) to the Joint Fiscal Office pursuant to subsection 10503(e) of this title and subject to the conditions and limitations specified in that subsection; and

(8) to the Commissioner of Financial Regulation, the Commissioner of Labor, or the private insurance carrier contracted with by the Commissioner of Financial Regulation pursuant to 21 V.S.A. § 572, provided the information is

related to the administration of the Family and Medical Leave Insurance Program created pursuant to 21 V.S.A. chapter 5, subchapter 13.

* * *

Sec. 19. 21 V.S.A. § 1314 is amended to read:

§ 1314. REPORTS AND RECORDS; SEPARATION INFORMATION;
DETERMINATION OF ELIGIBILITY; FAILURE TO REPORT
EMPLOYMENT INFORMATION; DISCLOSURE OF
INFORMATION TO OTHER STATE AGENCIES TO
INVESTIGATE MISCLASSIFICATION OR MISCODING

* * *

(e)(1) Subject to such restrictions as the Board may ~~by regulation~~ prescribe by rule, information from unemployment insurance records may be made available to any public officer or public agency of this or any other state or the federal government dealing with the administration or regulation of relief, public assistance, unemployment compensation, a system of public employment offices, wages and hours of employment, workers' compensation, misclassification or miscoding of workers, occupational safety and health, or a public works program for purposes appropriate to the necessary operation of those offices or agencies. The Commissioner may also make information available to colleges, universities, and public agencies of the State for use in connection with research projects of a public service nature, and to the Vermont Economic Progress Council with regard to the administration of 32 V.S.A. chapter 105, subchapter 2; but no person associated with those institutions or agencies may disclose that information in any manner that would reveal the identity of any individual or employing unit from or concerning whom the information was obtained by the Commissioner.

* * *

(8)(A) The Department of Labor shall disclose, upon request, to the insurance carrier that the Commissioner of Financial Regulation has contracted with to operate the Family and Medical Leave Insurance Program pursuant to section 572 of this title, any information in its records related to an identified individual that is necessary for the purpose of determining the individual's eligibility for Family and Medical Leave Insurance benefits pursuant to chapter 5, subchapter 13 of this title.

(B) The Commissioner shall enter into an agreement with the insurance carrier that governs the use of the disclosed information and complies with all requirements of 20 C.F.R. § 603.10.

(C) The information requested shall not be released unless the individual to whom the requested information relates has signed a consent form, approved by the Commissioner, that permits the release of the requested information.

(D) The requested information shall not be released unless the insurance carrier agrees to reimburse the Department of Labor for the costs involved in furnishing the requested information.

* * *

Sec. 20. POTENTIAL TRANSITION TO MANDATORY COVERAGE FOR MEDICAL LEAVE FOR AN EMPLOYEE'S OWN SERIOUS ILLNESS; REPORT

(a) On or before January 15, 2020, the Commissioner of Labor, in consultation with the Commissioners of Financial Regulation and of Taxes, shall report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding the potential for transitioning, not later than July 1, 2022, from voluntary, opt-in coverage for medical leave to mandatory coverage for medical leave for all employees. The report shall examine:

(1) the potential cost of such a transition;

(2) the potential impacts on contribution rates, administrative efficiency, and the experience of employers and employees;

(3) any projected changes in the usage of Family and Medical Leave Insurance benefits; and

(4) any potential changes to the agreement between the State and the private insurance carrier that the State has contracted with pursuant to 21 V.S.A. § 572 that the transition may make necessary.

(b) The report shall include a detailed description of any legislative changes that would be necessary to accomplish the transition.

(c) As used in this section:

(1) "Employee" has the same meaning as in 21 V.S.A. § 571(4).

(2) "Medical leave" has the same meaning as in 21 V.S.A. § 571(9).

Sec. 21. EFFECTIVE DATES

(a) This section and Secs. 1, 2, 4, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, and 20 shall take effect on passage.

(b) Secs. 3 and 7 shall not take effect until December 1, 2019, and shall not take effect at all if the Commissioner of Financial Regulation secures a

suitable insurance carrier to provide paid family and medical leave insurance pursuant to the provisions of 21 V.S.A. § 572(b).

(c) Secs. 8, 9, 10, and 11 shall take effect on October 1, 2020.

(d)(1)(A) If the Commissioner of Financial Regulation secures a private insurance carrier pursuant to 21 V.S.A. § 572, contributions shall begin being paid pursuant to 21 V.S.A. §§ 573 and 574 on April 1, 2020, and, beginning on October 1, 2020, employees may begin to receive benefits pursuant to 21 V.S.A. chapter 5, subchapter 13.

(B) If the Commissioner of Financial Regulation is unable to secure a private insurance carrier pursuant to 21 V.S.A. § 572, contributions shall begin being paid pursuant to 21 V.S.A. §§ 573 and 574 on July 1, 2020, and, beginning on July 1, 2021, employees may begin to receive benefits pursuant to 21 V.S.A. chapter 5, subchapter 13.

(2) An employer that is subject to a collective bargaining agreement shall not be required to pay contributions or be subject to the provisions of 21 V.S.A. chapter 5, subchapter 13 until either the effective date of the next collective bargaining agreement after April 1, 2020 or the effective date of a supplement to or provision of an existing collective bargaining agreement that specifically addresses the provisions of 21 V.S.A. chapter 5, subchapter 13 in order to permit the employer and the collective bargaining representative to negotiate regarding the employer's and employees' shares of the contribution rate and whether the employer will provide benefits through an alternative plan established pursuant to 21 V.S.A. § 577.

Which was agreed to.

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

House Proposal of Amendment Concurred In with Amendment

S. 23.

House proposal of amendment to Senate bill entitled:

An act relating to increasing the minimum wage.

Was taken up.

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

Sec. 1. 21 V.S.A. § 384 is amended to read:

§ 384. EMPLOYMENT; WAGES

(a)(1) ~~Except~~ Except as otherwise provided pursuant to subdivision (B) of

this subdivision (a)(1), an employer shall not employ any employee at a rate of less than \$9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than \$9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than \$10.00. Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than \$10.50, and beginning \$10.78. Beginning on January 1, 2019 2020, and on each subsequent January 1, the minimum wage rate shall be increased by two and one quarter times the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, provided that the rate of increase shall not be more than five and one half percent, until the minimum wage is equal to or greater than \$15.00. On January 1 of the first year after the minimum wage rate reaches an amount that is equal to or greater than \$15.00 and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in . In no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest \$0.01.

(2) An employer in the hotel, motel, tourist place, and restaurant industry shall not employ a service or tipped employee at a basic wage rate less than one-half the minimum wage. As used in this subsection, "a service or tipped employee" means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 per month in tips for direct and personal customer service.

(3) If the minimum wage rate established by the U.S. government is greater than the rate established for Vermont pursuant to subdivision (1) of this subsection for any year, the minimum wage rate for that year shall be the rate established by the U.S. government.

* * *

(e)(1) A tip shall be the sole property of the employee or employees to whom it was paid, given, or left. An employer that permits patrons to pay tips by credit card shall pay an employee the full amount of the tip that the customer indicated, without any deductions for credit card processing fees or costs that may be charged to the employer by the credit card company.

(2) An employer shall not collect, deduct, or receive any portion of a tip left for an employee or credit any portion of a tip left for an employee against the wages due to the employee pursuant to subsection (a) of this section.

(3) This subsection shall not be construed to prohibit the pooling of tips among:

(A) service or tipped employees as defined pursuant to subsection (a) of this section; or

(B) service or tipped employees who are paid at least the federal minimum wage established pursuant to 29 U.S.C. § 206(a)(1) and non-supervisory employees who do not customarily and regularly receive more than \$120.00 per month in tips for direct and personal customer service.

(f)(1) Notwithstanding 2 V.S.A. § 20(d), on or before December 1, 2019, and on or before each subsequent December 1 until the minimum wage established pursuant to subdivision (a)(1) of this section reaches \$15.00, the Commissioner of Taxes shall submit a written report to the Governor and the General Assembly regarding whether the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year.

(2) Notwithstanding subdivision (a)(1) of this section, the minimum wage rate established pursuant to subdivision (a)(1) shall be increased by the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1 or by five percent, whichever is smaller, on January 1 of the next calendar year if both of the following occur:

(A) the Commissioner of Taxes' report indicates that the inflation-adjusted revenues from the sales tax imposed pursuant to 32 V.S.A. § 9771 and the use tax imposed pursuant to 32 V.S.A. § 9773 for the 12-month period ending on September 30 of that year have decreased by two percent or more relative to the revenues from the sales tax and use tax for the 12-month period ending on September 30 of the previous year; and

(B) the official State revenue estimate for the General Fund in the current or next fiscal year has been reduced by two percent or more.

Sec. 2. 21 V.S.A. § 383 is amended to read:

§ 383. DEFINITIONS

Terms used in this subchapter have the following meanings As used in this subchapter, unless a different meaning is clearly apparent from the language or context:

(1) “Commissioner,” means the Commissioner of Labor or designee.

(2) “Employee,” means any individual employed or permitted to work by an employer except:

* * *

(G) ~~taxi-cab~~ taxicab drivers;

(H) outside salespersons; and

(I) secondary school students under 18 years of age working during all or any part of the school year or regular vacation periods. As used in this subdivision (2)(I), “regular vacation periods” does not include the period between two successive academic years.

(3) “Occupation,” means an industry, trade, ~~or~~ business or branch thereof, or a class of work in which workers are gainfully employed.

(4) “Tip” means a sum of money gratuitously and voluntarily left by a customer for service, or indicated on a bill or charge statement, to be paid to a service or tipped employee for directly and personally serving the customer in a hotel, motel, tourist place, or restaurant. An employer-mandated service charge shall not be considered a tip.

Sec. 3. CHILD CARE FINANCIAL ASSISTANCE PROGRAM

(a) It is the intent of the General Assembly that investments and initiatives set forth in this section and Sec. 4 of this act are meant to complement the anticipated redesign of the Child Care Financial Assistance Program, which shall be monitored by the General Assembly.

(b) In fiscal year 2020, of the funds appropriated from the General Fund to the Department for Children and Families’ Child Development Division, \$1,250,000.00 shall be used to restore the base for the Child Care Financial Assistance Program (CCFAP) and \$6,900,000.00 shall be used to adjust the sliding fee scale and reimbursement rates in CCFAP as follows:

(1) adjust the sliding fee scale of CCFAP to ensure that families whose gross income is up to 100 percent of the current federal poverty guidelines receive 100 percent of the available benefit and that families whose gross income is between 100 and 300 percent of the current federal poverty guidelines receive between 99 and 10 percent of the available financial assistance benefit, scaling between set eligibility levels as follows:

(A) 95 percent of the available financial assistance benefit for families at 125 percent of the current federal poverty guidelines;

(B) 75 percent of the available financial assistance benefit for families at 150 percent of the current federal poverty guidelines;

(C) 50 percent of the available financial assistance benefit for families at 200 percent of the current federal poverty guidelines; and

(D) 10 percent of the available financial assistance benefit for families at 300 percent of the current federal poverty guidelines; and

(2) align rates of reimbursement for preschool and school age children participating in CCFAP in fiscal year 2020 with the market rates reported on the 2015 Vermont Market Rate Survey and maintain rates of reimbursement for infants and toddlers participating in CCFAP in fiscal year 2020 with the market rates reported on the 2017 Vermont Market Rate Survey.

Sec. 4. 33 V.S.A. § 3512(a)(4) is added to read:

(4) Beginning on January 1, 2025 and each subsequent year the minimum wage is increased thereafter, the Commissioner for Children and Families shall amend the Department for Children and Families' Child Care Financial Assistance Program to:

(A) adjust the sliding fee scale to correspond with each minimum wage increase required pursuant to 21 V.S.A. § 384(a)(1) in order to ensure that the benefit percentage at each new minimum wage level is not lower than the percentage applied under the former minimum wage; and

(B) adjust the rate of reimbursement paid to providers on behalf of families participating in the Child Care Financial Assistance Program in a manner that offsets the estimated increased cost of child care in Vermont resulting from an increase in the minimum wage required pursuant to 21 V.S.A. § 384(a)(1).

Sec. 5. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS AND INDEPENDENT DIRECT SUPPORT PROVIDERS; REPORT

(a) On or before December 15, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2020 and 2021 of increasing Medicaid reimbursement rates to:

(1) Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential

care homes, assisted living residences, and adult day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384; and

(2) independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program to facilitate the payment of wages to those independent direct support providers that are equal to at least the minimum wage set forth in 21 V.S.A. § 384.

(b)(1) On or before August 15, 2019, the Secretary of Human Services shall request any documentation of wages and related costs that the Secretary determines to be necessary to develop the projections required pursuant to subsection (a) of this section from:

(A) Medicaid participating providers with employees who are providing services pursuant to the State Medicaid Program and earn wages that are at or near the minimum wage set forth in 21 V.S.A. § 384; and

(B) any fiscal services agency providing payroll services in relation to independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program.

(2) Service providers and fiscal services agencies shall, on or before October 15, 2019, provide to the Secretary the documentation requested pursuant to subdivision (1) of this subsection.

(3) Any service provider that fails to provide the information requested by the Secretary pursuant to this subsection shall forfeit the right in fiscal years 2020 and 2021 to any increase in Medicaid reimbursement rates that is proposed pursuant to subsection (a) of this section.

Sec. 6. MINIMUM WAGE FOR EMPLOYERS PROVIDING BENEFITS;
STUDY COMMITTEE; REPORT

(a) Creation. There is created the Minimum Wage for Employers Providing Benefits Study Committee to examine the possibility of creating a separate minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage.

(b) Membership. The Committee shall be composed of the following members:

(1) a current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) a current member of the Senate, who shall be appointed by the Committee on Committees;

(3) a representative of employers, who shall be appointed by the Speaker of the House;

(4) a representative of employees earning wages that are at or near the minimum wage, who shall be appointed by the Committee on Committees; and

(5) the Commissioner of Labor or designee.

(c) Powers and duties. The Committee shall study the possibility of creating a separate minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage, including the following topics:

(1) the experience of jurisdictions that have created a second minimum wage rate for employers that provide certain benefits to their employees that would increase more slowly than the standard minimum wage;

(2) the advantages and drawbacks of permitting an employer to qualify for a minimum wage rate that increases more slowly than the standard minimum wage by providing certain types of benefits, including health insurance, retirement, child care reimbursement, family and medical leave, and tuition reimbursement; and

(3) an appropriate minimum value of benefits that must be provided to qualify an employer for a second minimum wage rate that increases more slowly than the standard minimum wage.

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

(e) Report. On or before January 15, 2020, the Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member from the House shall call the first meeting of the Committee to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on January 31, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings.

(2) Other members of the Committee who are not otherwise compensated for their attendance at meetings shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than four meetings.

(3) Payments to members of the Committee authorized under this subsection shall be made from monies appropriated to the General Assembly.

Sec. 7. MINIMUM WAGE; ADJUSTMENT FOR INFLATION; REPORT

On or before January 15, 2023, the Office of Legislative Council and the Joint Fiscal Office shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs regarding potential mechanisms for indexing the minimum wage established pursuant to 21 V.S.A. § 384 to inflation after 2024. In particular, the report shall:

(1) identify and examine mechanisms that other jurisdictions use to index their minimum wages to inflation and the potential benefits and disadvantages of each mechanism; and

(2) identify and examine any alternative mechanisms to index the minimum wage to inflation, including alternative measures of inflation, and the potential benefits and disadvantages of each mechanism.

Sec. 8. TIPPED AND STUDENT MINIMUM WAGE STUDY COMMITTEE; REPORT

(a) Creation. There is created the tipped and student minimum wage study committee to examine the effects of altering or eliminating the basic wage rate for tipped employees in Vermont and of eliminating the subminimum wage for secondary school students during the school year.

(b) Membership. The Committee shall be composed of the following members:

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) the Commissioner of Labor or designee;

(4) the Commissioner for Children and Families or designee;

(5) one member representing employers in the food service or hospitality industry, appointed by the Speaker of the House; and

(6) one member representing tipped workers in the food service or hospitality industry, appointed by the Committee on Committees.

(c) Powers and duties. The Committee shall study the effects of altering or eliminating the basic wage rate for tipped employees and of eliminating the subminimum wage for secondary school students during the school year, including the following issues:

(1) the impact in states that have eliminated their tipped wage on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(2) the impact in states that have increased their tipped wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(3) the impact in states that have decoupled their tipped wage from the standard minimum wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(4) the projected impact in Vermont of altering or eliminating the basic wage rate for tipped employees on:

(A) jobs, prices, and the State economy; and

(B) the welfare of tipped workers, women, and working families with children; and

(5) the projected impact in Vermont of eliminating the subminimum wage for secondary school students on jobs, prices, the State economy, and the welfare of individuals under 22 years of age.

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

(e) Report. On or before December 15, 2019, the Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and recommendations, if any, for legislative action related to Vermont's basic wage for tipped employees and subminimum wage for secondary school students.

(f) Meetings.

(1) The Commissioner of Labor shall call the first meeting of the Committee to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on January 30, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) Members of the Committee who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 9. MINIMUM WAGE FOR AGRICULTURAL WORKERS;
WORKING GROUP; REPORT

(a) Creation. There is created the Agricultural Minimum Wage Working Group to examine the wage and hour laws for agricultural workers.

(b) Membership. The Working Group shall be composed of the following members:

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) The Secretary of Agriculture or designee; and

(4) The Commissioner of Labor or designee.

(c) Powers and duties. The Working Group shall study the wage and hour laws for agricultural workers, including the following issues:

(1) the overlapping legal requirements of the federal Fair Labor Standards Act and Vermont's wage and hour laws with respect to agricultural employees and employers;

(2) particular issues and challenges related to federal and State wage and hour laws that Vermont's agricultural employees and employers face; and

(3) how other states have addressed similar issues and challenges in their wage and hour laws.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Legislative Council.

(e) Report. On or before December 15, 2019, the Working Group shall submit a written report to the House Committees on Agriculture and on General, Housing, and Military Affairs and the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member from the House shall call the first meeting of the Working Group to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Working Group shall cease to exist on January 30, 2020.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Working Group serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 10. LEGISLATIVE COUNCIL; DRAFT LEGISLATION

On or before January 15, 2020, the Office of Legislative Council shall

prepare and submit a draft bill to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs that makes statutory amendments of a technical nature to modernize the statutory language of 21 V.S.A. chapter 5, subchapter 3. The draft bill shall also identify provisions of 21 V.S.A. chapter 5, subchapter 3 that may require amendment in order to eliminate out-of-date and obsolete provisions. The Office of Legislative Council shall consult with the Commissioner of Labor to identify language requiring modernization and provisions that are out-of-date or obsolete.

Sec. 11. EFFECTIVE DATES

(a) In Sec. 2, 21 V.S.A. § 383, the amendments to subdivisions (2)(G) and (I) shall take effect on January 1, 2020. The remaining provisions of Sec. 2 shall take effect on July 1, 2019.

(b) The remaining sections of this act shall take effect on July 1, 2019.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, Senators Sirotkin, Balint and Clarkson moved that the Senate concur in the House proposal of amendment with an amendment as follows:

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

Sec. 1. 21 V.S.A. § 384(a) is amended to read:

(a)(1) An employer shall not employ any employee at a rate of less than \$9.15. Beginning on January 1, 2016, an employer shall not employ any employee at a rate of less than \$9.60. Beginning on January 1, 2017, an employer shall not employ any employee at a rate of less than \$10.00. Beginning on January 1, 2018, an employer shall not employ any employee at a rate of less than \$10.50, and beginning \$10.78. Beginning on January 1, 2019 2020, an employer shall not employ any employee at a rate of less than \$11.50. Beginning on January 1, 2021, an employer shall not employ any employee at a rate of less than \$12.20, and on each subsequent January 1, the minimum wage rate shall be increased by five percent or the percentage increase of the Consumer Price Index, CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. Department of Labor or successor agency for the 12 months preceding the previous September 1, whichever is smaller, but in no event shall the minimum wage be decreased. The minimum wage shall be rounded off to the nearest \$0.01.

(2) An employer in the hotel, motel, tourist place, and restaurant industry shall not employ a service or tipped employee at a basic wage rate less than one-half the minimum wage. As used in this subsection, "a service or

tipped employee” means an employee of a hotel, motel, tourist place, or restaurant who customarily and regularly receives more than \$120.00 per month in tips for direct and personal customer service.

(3) If the minimum wage rate established by the U.S. government is greater than the rate established for Vermont for any year, the minimum wage rate for that year shall be the rate established by the U.S. government.

Sec. 2. INCREASES FOR EMPLOYEES OF CERTAIN MEDICAID-PARTICIPATING PROVIDERS AND INDEPENDENT DIRECT SUPPORT PROVIDERS; REPORT

(a) On or before December 15, 2019, the Secretary of Human Services, in consultation with the Joint Fiscal Office and relevant service providers, shall submit a written report to the House Committees on Appropriations, on General, Housing, and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Health and Welfare regarding the projected costs for fiscal years 2020 and 2021 of increasing Medicaid reimbursement rates to:

(1) Medicaid participating providers, including designated agencies, specialized service agencies, home health agencies, nursing homes, residential care homes, assisted living residences, and adult day agencies, by an amount necessary to facilitate the payment of wages to their employees who are providing services pursuant to the State Medicaid Program that are equal to at least the minimum wage set forth in 21 V.S.A. § 384; and

(2) independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program to facilitate the payment of wages to those independent direct support providers that are equal to at least the minimum wage set forth in 21 V.S.A. § 384.

(b)(1) On or before August 15, 2019, the Secretary of Human Services shall request any documentation of wages and related costs that the Secretary determines to be necessary to develop the projections required pursuant to subsection (a) of this section from:

(A) Medicaid participating providers with employees who are providing services pursuant to the State Medicaid Program and earn wages that are at or near the minimum wage set forth in 21 V.S.A. § 384; and

(B) any fiscal services agency providing payroll services in relation to independent direct support providers who are providing home- and community-based services pursuant to the State Medicaid Program.

(2) Service providers and fiscal services agencies shall, on or before October 15, 2019, provide to the Secretary the documentation requested pursuant to subdivision (1) of this subsection.

(3) Any service provider that fails to provide the information requested by the Secretary pursuant to this subsection shall forfeit the right in fiscal years 2020 and 2021 to any increase in Medicaid reimbursement rates that is proposed pursuant to subsection (a) of this section.

Sec. 3. TIPPED AND STUDENT MINIMUM WAGE STUDY
COMMITTEE; REPORT

(a) Creation. There is created the tipped and student minimum wage study committee to examine the effects of altering or eliminating the basic wage rate for tipped employees in Vermont and of eliminating the subminimum wage for secondary school students during the school year.

(b) Membership. The Committee shall be composed of the following members:

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) the Commissioner of Labor or designee;

(4) the Commissioner for Children and Families or designee;

(5) one member representing employers in the food service or hospitality industry, appointed by the Speaker of the House; and

(6) one member representing tipped workers in the food service or hospitality industry, appointed by the Committee on Committees.

(c) Powers and duties. The Committee shall study the effects of altering or eliminating the basic wage rate for tipped employees and of eliminating the subminimum wage for secondary school students during the school year, including the following issues:

(1) the impact in states that have eliminated their tipped wage on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(2) the impact in states that have increased their tipped wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(3) the impact in states that have decoupled their tipped wage from the standard minimum wage during the last 10 years on:

(A) jobs, prices, and the state economy; and

(B) the welfare of tipped workers, women, and working families with children;

(4) the projected impact in Vermont of altering or eliminating the basic wage rate for tipped employees on:

(A) jobs, prices, and the State economy; and

(B) the welfare of tipped workers, women, and working families with children; and

(5) the projected impact in Vermont of eliminating the subminimum wage for secondary school students on jobs, prices, the State economy, and the welfare of individuals under 22 years of age.

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

(e) Report. On or before December 15, 2019, the Committee shall submit a written report to the House Committee on General, Housing, and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs with its findings and recommendations, if any, for legislative action related to Vermont's basic wage for tipped employees and subminimum wage for secondary school students.

(f) Meetings.

(1) The Commissioner of Labor shall call the first meeting of the Committee to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on January 30, 2020.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in his or her capacity as a legislator shall be entitled to per diem compensation and

reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

(2) Members of the Committee who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 4. MINIMUM WAGE FOR AGRICULTURAL WORKERS;
WORKING GROUP; REPORT

(a) Creation. There is created the Agricultural Minimum Wage Working Group to examine the wage and hour laws for agricultural workers.

(b) Membership. The Working Group shall be composed of the following members:

(1) one member of the House appointed by the Speaker of the House;

(2) one member of the Senate appointed by the Committee on Committees;

(3) the Secretary of Agriculture or designee; and

(4) the Commissioner of Labor or designee.

(c) Powers and duties. The Working Group shall study the wage and hour laws for agricultural workers, including the following issues:

(1) the overlapping legal requirements of the federal Fair Labor Standards Act and Vermont's wage and hour laws with respect to agricultural employees and employers;

(2) particular issues and challenges related to federal and State wage and hour laws that Vermont's agricultural employees and employers face; and

(3) how other states have addressed similar issues and challenges in their wage and hour laws.

(d) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Office of Legislative Council.

(e) Report. On or before December 15, 2019, the Working Group shall submit a written report to the House Committees on Agriculture and on General, Housing, and Military Affairs and the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member from the House shall call the first meeting of the Working Group to occur on or before September 15, 2019.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Working Group shall cease to exist on January 30, 2020.

(g) Compensation and reimbursement. For attendance at meetings during adjournment of the General Assembly, a legislative member of the Working Group serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for not more than four meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2019.

Which was agreed to.

Rules Suspended; Bills Messaged

On motion of Senator Mazza, the rules were suspended, and the following bills were severally ordered messaged to the House forthwith:

S. 23, H. 107, H. 542.

Message from the House No. 88

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

Mr. President:

I am directed to inform the Senate that:

The House has considered the report of the Committee of Conference upon the disagreeing votes of the two Houses on House bill of the following title:

H. 542. An act relating to making appropriations for the support of government.

And has adopted the same on its part.

Message from the House No. 89

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

Mr. President:

I am directed to inform the Senate that the House has on its part completed the business of the first half of the Biennial session and is ready to adjourn until January 7, 2020, pursuant to the provisions of J.R.H. 6.

Joint Senate Resolution Adopted on the Part of the Senate

J.R.S. 28.

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

By Senator Ashe,

J.R.S. 28. Joint resolution relating to weekend adjournment.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, May 24, 2019, it be to meet again no later than Wednesday, May 29, 2019.

Adjournment

On motion of Senator Mazza, the Senate adjourned, to reconvene on Tuesday, May 29, 2019, at four o'clock in the afternoon pursuant to J.R.S. 28.