

Journal of the Senate

THURSDAY, FEBRUARY 9, 2017

The Senate was called to order by the President.

Devotional Exercises

Devotional exercises were conducted by the Reverend Cordelia Burpee of South Hero.

Joint Resolution Referred

J.R.H. 4.

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

Joint resolution reaffirming the General Assembly's commitment to equal educational opportunity on the 20th anniversary of the Vermont Supreme Court's decision in *Brigham v. State*.

Whereas, the Common Benefits Clause of the Vermont Constitution, Chapter I, Article 7, provides "that government is, or ought to be, instituted for the common benefit, protection, and security of the people," and

Whereas, the Education Clause of the Vermont Constitution, Chapter II, § 68, states that a "competent number of schools ought to be maintained in each town," and

Whereas, in the mid-1990s, three sets of plaintiffs filed suit in Lamoille Superior Court alleging that the State's existing Foundation public school funding formula denied students in the towns of Hardwick and Whiting an equal educational opportunity, and

Whereas, the trial court granted summary judgment to the State, holding in part that Section 68 does not provide "any rights...to Vermont citizens," and

Whereas, undaunted, the plaintiffs appealed to the Vermont Supreme Court, and

Whereas, in the Vermont Supreme Court's historic decision, *Brigham v. State*, 166 Vt. 246, on February 5, 1997, the Court explained that "from its earliest days, Vermont has recognized the obligation to provide for the education of its youth," and

Whereas, the Court analyzed the Education Clause's historic development, prior pertinent judicial opinions, and the 1828 inaugural address of Governor Samuel Crafts, who, in speaking before the General Assembly, stated, it is "our paramount duty to place the means for obtaining instruction and information, equally within the reach of all," and

Whereas, the Court concluded that "the current [Foundation] educational financing system in Vermont violates the right to equal educational opportunities under Chapter II, § 68 and Chapter I, Article 7 of the Vermont Constitution," and directed the General Assembly to devise a new education funding formula implementing the principle of equal educational opportunity for all of Vermont's children, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly reaffirms its commitment to equal educational opportunity on the 20th anniversary of the Vermont Supreme Court's decision in *Brigham v. State*, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Governor Philip B. Scott.

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

Bills Introduced

Senate bills of the following titles were severally introduced, read the first time and referred:

S. 77.

By Senators Balint, Clarkson, White, Ayer, Bray and Ingram,

An act relating to requiring a presidential candidate to disclose federal tax returns in order to be placed on the presidential primary and general election ballots.

To the Committee on Government Operations.

S. 78.

By Senator White,

An act relating to the fees constables collect for the service of civil process.

To the Committee on Government Operations.

S. 79.

By Senators Sears, Ashe, Balint and Degree,

An act relating to freedom from compulsory collection of personal information.

To the Committee on Judiciary.

S. 80.

By Senator Mullin,

An act relating to the authority of correctional officers to carry firearms.

To the Committee on Institutions.

Bill Amended; Bill Passed**S. 8.**

Senate bill entitled:

An act relating to establishing the State Ethics Commission and standards of governmental ethical conduct.

Was taken up.

Thereupon, pending third reading of the bill, Senators Benning, Ayer, Clarkson, Collamore, Pearson and White moved to amend the bill as follows:

First: In Sec. 3, 17 V.S.A. § 2414 (candidates for State and legislative office; disclosure form), in subdivision (a)(1), preceding “of his or her spouse” by striking out the word “or” and inserting in lieu thereof the word and

Second: In Sec. 7, in 3 V.S.A. § 1211 (Executive officers; biennial disclosure), in subdivision (a)(1), preceding “of his or her spouse” by striking out the word “or” and inserting in lieu thereof the word and

Which was agreed to.

Thereupon, the bill was read the third time and passed.

Proposal of Amendment; Third Reading Ordered**H. 125.**

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

An act relating to fiscal year 2017 budget adjustments.

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

Sec. 1. 2016 Acts and Resolves No. 172, Sec. B.100 is amended to read:

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

Personal services	3,022,679	2,969,540
Operating expenses	<u>131,182</u>	<u>131,182</u>
Total	<u>3,153,861</u>	<u>3,100,722</u>
Source of funds		
General fund	<u>1,290,708</u>	<u>1,237,569</u>
Interdepartmental transfers	<u>1,863,153</u>	<u>1,863,153</u>
Total	<u>3,153,861</u>	<u>3,100,722</u>

Sec. 2. 2016 Acts and Resolves No. 172, Sec. B.108 is amended to read:

Sec. B.108 Human resources - operations

Personal services	7,186,765	6,973,135
Operating expenses	<u>937,445</u>	<u>937,445</u>
Total	<u>8,124,210</u>	<u>7,910,580</u>
Source of funds		
General fund	1,823,395	1,772,307
Special funds	244,912	244,912
Internal service funds	5,518,595	5,440,511
Interdepartmental transfers	<u>537,308</u>	<u>452,850</u>
Total	<u>8,124,210</u>	<u>7,910,580</u>

Sec. 3. 2016 Acts and Resolves No. 172, Sec. B.124 is amended to read:

Sec. B.124 Executive office - governor's office

Personal services	1,444,960	1,627,847
Operating expenses	<u>436,716</u>	<u>253,829</u>
Total	<u>1,881,676</u>	<u>1,881,676</u>
Source of funds		
General fund	1,695,176	1,695,176
Interdepartmental transfers	<u>186,500</u>	<u>186,500</u>
Total	<u>1,881,676</u>	<u>1,881,676</u>

Sec. 4. 2016 Acts and Resolves No. 172, Sec. B.136 is amended to read:

Sec. B.136 VOSHA review board

Personal services	54,576	77,995
Operating expenses	<u>18,646</u>	<u>15,811</u>
Total	<u>73,222</u>	<u>93,806</u>
Source of funds		
General fund	36,611	46,903

Interdepartmental transfers	<u>36,611</u>	<u>46,903</u>
Total	<u>73,222</u>	<u>93,806</u>

Sec. 5. 2016 Acts and Resolves No. 172, Sec. B.137 is amended to read:

Sec. B.137 Homeowner rebate

Grants	<u>16,200,000</u>	<u>15,560,000</u>
Total	<u>16,200,000</u>	<u>15,560,000</u>
Source of funds		
General fund	<u>16,200,000</u>	<u>15,560,000</u>
Total	<u>16,200,000</u>	<u>15,560,000</u>

Sec. 6. 2016 Acts and Resolves No. 172, Sec. B.138 is amended to read:

Sec. B.138 Renter rebate

Grants	<u>10,400,000</u>	<u>11,390,500</u>
Total	<u>10,400,000</u>	<u>11,390,500</u>
Source of funds		
General fund	<u>3,120,000</u>	<u>3,417,150</u>
Education fund	<u>7,280,000</u>	<u>7,973,350</u>
Total	<u>10,400,000</u>	<u>11,390,500</u>

Sec. 7. 2016 Acts and Resolves No. 172, Sec. B.140 is amended to read:

Sec. B.140 Municipal current use

Grants	<u>15,321,776</u>	<u>15,023,110</u>
Total	<u>15,321,776</u>	<u>15,023,110</u>
Source of funds		
General fund	<u>15,321,776</u>	<u>15,023,110</u>
Total	<u>15,321,776</u>	<u>15,023,110</u>

Sec. 8. 2016 Acts and Resolves No. 172, Sec. B.145 is amended to read:

Sec. B.145 Total general government

Source of funds		
General fund	<u>76,841,737</u>	<u>76,106,286</u>
Transportation fund	<u>4,014,502</u>	<u>4,014,502</u>
Special funds	<u>11,749,144</u>	<u>11,749,144</u>
Education fund	<u>10,705,000</u>	<u>11,398,350</u>
Federal funds	<u>861,098</u>	<u>861,098</u>
Internal service funds	<u>90,972,965</u>	<u>90,894,881</u>
Interdepartmental transfers	<u>8,958,648</u>	<u>8,884,482</u>
Enterprise funds	<u>3,423,486</u>	<u>3,423,486</u>
Pension trust funds	<u>12,536,707</u>	<u>12,536,707</u>

Private purpose trust funds	<u>1,125,701</u>	<u>1,125,701</u>
Total	<u>221,188,988</u>	<u>220,994,637</u>

Sec. 9. 2016 Acts and Resolves No. 172, Sec. B.200 is amended to read:

Sec. B.200 Attorney general

Personal services	8,900,530	9,160,530
Operating expenses	1,386,540	1,386,540
Grants	<u>26,894</u>	<u>26,894</u>
Total	<u>10,313,964</u>	<u>10,573,964</u>
Source of funds		
General fund	4,338,420	4,598,420
Special funds	<u>1,967,408</u>	<u>2,150,198</u>
Tobacco fund	<u>530,790</u>	<u>348,000</u>
Federal funds	1,067,909	1,067,909
Interdepartmental transfers	<u>2,409,437</u>	<u>2,409,437</u>
Total	<u>10,313,964</u>	<u>10,573,964</u>

Sec. 10. 2016 Acts and Resolves No. 172, Sec. B.201 is amended to read:

Sec. B.201 Vermont court diversion

Personal services	63,550	722,397
Operating expenses	500	500
Grants	<u>1,996,483</u>	<u>1,996,483</u>
Total	<u>2,060,533</u>	<u>2,719,380</u>
Source of funds		
General fund	<u>1,396,486</u>	<u>2,055,333</u>
Special funds	<u>664,047</u>	<u>664,047</u>
Total	<u>2,060,533</u>	<u>2,719,380</u>

Sec. 11. 2016 Acts and Resolves No. 172, Sec. B.205 is amended to read:

Sec. B.205 State's attorneys

Personal services	11,690,469	11,760,139
Operating expenses	<u>1,945,843</u>	<u>1,945,843</u>
Total	<u>13,636,312</u>	<u>13,705,982</u>
Source of funds		
General fund	10,990,771	11,060,441
Special funds	105,855	105,855
Federal funds	31,000	31,000
Interdepartmental transfers	<u>2,508,686</u>	<u>2,508,686</u>
Total	<u>13,636,312</u>	<u>13,705,982</u>

Sec. 12. 2016 Acts and Resolves No. 172, Sec. B.235 is amended to read:

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

Personal services	3,289,987	3,685,241
Operating expenses	294,843	356,367
Grants	<u>720,000</u>	<u>720,000</u>
Total	4,304,830	4,761,608
Source of funds		
Special funds	<u>4,304,830</u>	<u>4,761,608</u>
Total	4,304,830	4,761,608

Sec. 13. 2016 Acts and Resolves No. 172, Sec. B.237 is amended to read:

Sec. B.237 Liquor control - administration

Personal services	3,732,527	3,752,342
Operating expenses	478,007	478,007
Total	4,210,534	4,230,349
Source of funds		
Enterprise funds	<u>4,210,534</u>	<u>4,230,349</u>
Total	4,210,534	4,230,349

Sec. 14. 2016 Acts and Resolves No. 172, Sec. B.238 is amended to read:

Sec. B.238 Liquor control - enforcement and licensing

Personal services	2,519,794	2,588,597
Operating expenses	491,938	495,225
Total	3,011,732	3,083,822
Source of funds		
Special funds	151,119	223,209
Tobacco fund	213,843	213,843
Federal funds	312,503	312,503
Enterprise funds	<u>2,334,267</u>	<u>2,334,267</u>
Total	3,011,732	3,083,822

Sec. 15. 2016 Acts and Resolves No. 172, Sec. B.239 is amended to read:

Sec. B.239 Liquor control - warehousing and distribution

Personal services	1,006,762	1,036,188
Operating expenses	414,188	468,940
Total	1,420,950	1,505,128
Source of funds		
Special funds	0	59,752
Enterprise funds	<u>1,420,950</u>	<u>1,445,376</u>
Total	1,420,950	1,505,128

Sec. 16. 2016 Acts and Resolves No. 172, Sec. B.240 is amended to read:

Sec. B.240 Total protection to persons and property

Source of funds

General fund	139,882,179	140,870,696
Transportation fund	21,150,000	21,150,000
Special funds	82,335,142	83,106,552
Tobacco fund	783,664	600,874
Federal funds	64,642,371	64,642,371
ARRA funds	650,000	650,000
Global Commitment fund	90,278	90,278
Interdepartmental transfers	12,737,631	12,737,631
Enterprise funds	7,988,319	<u>8,032,560</u>
Total	330,259,584	331,880,962

Sec. 17. 2016 Acts and Resolves No. 172, Sec. B.300 is amended to read:

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

Personal services	16,945,382	16,920,823
Operating expenses	5,927,510	5,927,510
Grants	4,574,386	<u>3,205,754</u>
Total	27,447,278	26,054,087

Source of funds

General fund	6,969,314	7,782,007
Special funds	91,017	91,017
Tobacco fund	67,500	67,500
Federal funds	12,084,592	13,014,191
Global Commitment fund	6,436,024	3,300,541
Interdepartmental transfers	<u>1,798,831</u>	<u>1,798,831</u>
Total	27,447,278	26,054,087

Sec. 18. 2016 Acts and Resolves No. 172, Sec. B.301 is amended to read:

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

Operating expenses	5,529,495	5,529,495
Grants	1,668,035,577	<u>1,596,194,550</u>
Total	1,673,565,072	1,601,724,045

Source of funds

General fund	324,036,681	284,257,664
Special funds	28,263,866	28,263,866
Tobacco fund	27,530,657	29,716,875
State health care resources fund	286,005,627	297,599,293
Federal funds	1,007,688,241	961,846,347

Interdepartmental transfers	<u>40,000</u>	<u>40,000</u>
Total	<u>1,673,565,072</u>	<u>1,601,724,045</u>

Sec. 19. 2016 Acts and Resolves No. 172, Sec. B.302 is amended to read:

Sec. B.302 Rate setting

Personal services	831,219	831,219
Operating expenses	<u>98,596</u>	<u>98,596</u>
Total	<u>929,815</u>	<u>929,815</u>

Source of funds

General fund	0	232,454
Federal funds	0	232,454
Global Commitment fund	<u>929,815</u>	<u>464,907</u>
Total	<u>929,815</u>	<u>929,815</u>

Sec. 20. 2016 Acts and Resolves No. 172, Sec. B.304 is amended to read:

Sec. B.304 Human services board

Personal services	659,457	659,457
Operating expenses	<u>89,986</u>	<u>89,986</u>
Total	<u>749,443</u>	<u>749,443</u>

Source of funds

General fund	<u>208,383</u>	300,788
Federal funds	<u>112,844</u>	205,248
Global Commitment fund	<u>355,736</u>	170,927
Interdepartmental transfers	<u>72,480</u>	<u>72,480</u>
Total	<u>749,443</u>	<u>749,443</u>

Sec. 21. 2016 Acts and Resolves No. 172, Sec. B.306 is amended to read:

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

Personal services	<u>166,815,638</u>	171,369,125
Operating expenses	5,252,813	5,252,813
Grants	<u>17,445,598</u>	<u>24,007,173</u>
Total	<u>189,514,049</u>	<u>200,629,111</u>

Source of funds

General fund	<u>6,551,086</u>	22,614,386
Special funds	799,894	799,894
Federal funds	<u>99,758,443</u>	125,025,277
Global Commitment fund	<u>71,800,549</u>	42,567,819
Interdepartmental transfers	<u>10,604,077</u>	<u>9,621,735</u>
Total	<u>189,514,049</u>	<u>200,629,111</u>

Sec. 22. 2016 Acts and Resolves No. 172, Sec. B.307 is amended to read:

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

Grants	<u>755,959,456</u>	<u>723,022,818</u>
Total	<u>755,959,456</u>	<u>723,022,818</u>
Source of funds		
Global Commitment fund	<u>755,959,456</u>	<u>723,022,818</u>
Total	<u>755,959,456</u>	<u>723,022,818</u>

Sec. 23. 2016 Acts and Resolves No. 172, Sec. B.308 is amended to read:

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

Grants	<u>187,699,781</u>	<u>191,664,880</u>
Total	<u>187,699,781</u>	<u>191,664,880</u>
Source of funds		
General fund	753,720	753,720
Federal funds	896,280	896,280
Global Commitment fund	<u>186,049,781</u>	<u>190,014,880</u>
Total	<u>187,699,781</u>	<u>191,664,880</u>

Sec. 24. 2016 Acts and Resolves No. 172, Sec. B.309 is amended to read:

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

Grants	<u>45,177,465</u>	<u>50,406,034</u>
Total	<u>45,177,465</u>	<u>50,406,034</u>
Source of funds		
General fund	<u>37,254,939</u>	<u>41,476,744</u>
Global Commitment fund	<u>7,922,526</u>	<u>8,929,290</u>
Total	<u>45,177,465</u>	<u>50,406,034</u>

Sec. 25. 2016 Acts and Resolves No. 172, Sec. B.310 is amended to read:

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

Grants	<u>46,362,233</u>	<u>47,288,951</u>
Total	<u>46,362,233</u>	<u>47,288,951</u>
Source of funds		
General fund	<u>17,804,538</u>	<u>17,895,238</u>
Federal funds	<u>28,557,695</u>	<u>29,393,713</u>
Total	<u>46,362,233</u>	<u>47,288,951</u>

Sec. 26. 2016 Acts and Resolves No. 172, Sec. B.311 is amended to read:

Sec. B.311 Health - administration and support

Personal services	7,605,625	7,629,625
Operating expenses	2,974,444	2,974,444
Grants	<u>3,185,000</u>	<u>3,185,000</u>
Total	13,765,069	13,789,069
Source of funds		
General fund	2,156,700	2,690,100
Special funds	1,286,732	1,286,732
Federal funds	5,584,598	6,122,798
Global Commitment fund	<u>4,737,039</u>	<u>3,689,439</u>
Total	13,765,069	13,789,069

Sec. 27. 2016 Acts and Resolves No. 172, Sec. B.312 is amended to read:

Sec. B.312 Health - public health

Personal services	40,636,991	41,729,070
Operating expenses	9,221,544	9,221,544
Grants	<u>38,431,111</u>	<u>38,431,111</u>
Total	88,289,646	89,381,725
Source of funds		
General fund	5,496,552	6,883,962
Special funds	17,054,895	17,054,895
Tobacco fund	2,409,514	2,409,514
Federal funds	38,055,582	42,653,289
Global Commitment fund	<u>24,126,242</u>	<u>19,233,204</u>
Interdepartmental transfers	1,121,861	1,121,861
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	88,289,646	89,381,725

Sec. 28. 2016 Acts and Resolves No. 172, Sec. B.313 is amended to read:

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

Personal services	3,681,311	3,681,311
Operating expenses	295,122	295,122
Grants	<u>47,340,427</u>	<u>47,104,164</u>
Total	51,316,860	51,080,597
Source of funds		
General fund	2,755,862	3,075,190
Special funds	459,453	459,453
Tobacco fund	1,357,025	1,357,025
Federal funds	12,012,707	12,357,085

Global Commitment fund	<u>34,731,813</u>	<u>33,831,844</u>
Total	<u>51,316,860</u>	<u>51,080,597</u>

Sec. 29. 2016 Acts and Resolves No. 172, Sec. B.314 is amended to read:

Sec. B.314 Mental health - mental health

Personal services	28,694,403	28,871,779
Operating expenses	3,885,385	3,547,885
Grants	<u>191,675,667</u>	<u>192,784,357</u>
Total	<u>224,255,455</u>	<u>225,204,021</u>
Source of funds		
General fund	1,593,826	3,129,204
Special funds	434,904	434,904
Federal funds	3,620,435	5,155,813
Global Commitment fund	218,586,290	216,464,100
Interdepartmental transfers	<u>20,000</u>	<u>20,000</u>
Total	<u>224,255,455</u>	<u>225,204,021</u>

Sec. 30. 2016 Acts and Resolves No. 172, Sec. B.316 is amended to read:

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

Personal services	37,891,973	40,655,644
Operating expenses	9,938,078	9,938,078
Grants	<u>3,828,592</u>	<u>3,828,592</u>
Total	<u>51,658,643</u>	<u>54,422,314</u>
Source of funds		
General fund	23,929,434	27,852,319
Special funds	718,986	650,355
Federal funds	23,390,910	22,983,744
Global Commitment fund	3,402,828	2,719,432
Interdepartmental transfers	<u>216,485</u>	<u>216,464</u>
Total	<u>51,658,643</u>	<u>54,422,314</u>

Sec. 31. 2016 Acts and Resolves No. 172, Sec. B.317 is amended to read:

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

Personal services	32,371,167	32,849,031
Operating expenses	4,701,495	4,701,495
Grants	<u>74,996,824</u>	<u>75,838,378</u>
Total	<u>112,069,486</u>	<u>113,388,904</u>
Source of funds		
General fund	33,801,991	36,118,736
Special funds	1,691,637	1,691,637

Federal funds	<u>25,015,922</u>	23,639,368
Global Commitment fund	<u>51,423,882</u>	51,804,397
Interdepartmental transfers	<u>136,054</u>	134,766
Total	<u>112,069,486</u>	113,388,904

Sec. 32. 2016 Acts and Resolves No. 172, Sec. B.318 is amended to read:

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

Personal services	<u>6,196,295</u>	5,870,884
Operating expenses	<u>833,601</u>	833,601
Grants	<u>76,393,172</u>	75,919,898
Total	<u>83,423,068</u>	82,624,383
Source of funds		
General fund	<u>31,554,569</u>	30,048,796
Special funds	<u>1,820,000</u>	1,820,000
Federal funds	<u>38,233,170</u>	39,112,563
Global Commitment fund	<u>11,815,329</u>	11,643,024
Total	<u>83,423,068</u>	82,624,383

Sec. 33. 2016 Acts and Resolves No. 172, Sec. B.319 is amended to read:

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

Personal services	<u>10,226,408</u>	9,800,234
Operating expenses	<u>3,644,264</u>	3,644,264
Total	<u>13,870,672</u>	13,444,498
Source of funds		
General fund	<u>3,445,615</u>	3,356,014
Special funds	<u>455,718</u>	455,718
Federal funds	<u>9,581,739</u>	9,245,166
Interdepartmental transfers	<u>387,600</u>	387,600
Total	<u>13,870,672</u>	13,444,498

Sec. 34. 2016 Acts and Resolves No. 172, Sec. B.321 is amended to read:

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

Grants	<u>7,087,010</u>	7,077,360
Total	<u>7,087,010</u>	7,077,360
Source of funds		
General fund	<u>5,680,025</u>	5,680,025
Federal funds	<u>1,111,320</u>	1,111,320
Global Commitment fund	<u>295,665</u>	286,015
Total	<u>7,087,010</u>	7,077,360

Sec. 35. 2016 Acts and Resolves No. 172, Sec. B.323 is amended to read:

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

Operating expenses	95,202	95,202
Grants	<u>37,253,135</u>	<u>34,587,154</u>
Total	<u>37,348,337</u>	<u>34,682,356</u>
Source of funds		
General fund	7,780,772	7,582,808
Special funds	23,401,676	21,702,814
Federal funds	3,819,096	2,802,110
Global Commitment fund	<u>2,346,793</u>	<u>2,594,624</u>
Total	<u>37,348,337</u>	<u>34,682,356</u>

Sec. 36. 2016 Acts and Resolves No. 172, Sec. B.325 is amended to read:

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

Personal services	372,844	406,869
Operating expenses	28,119	28,119
Grants	<u>9,315,255</u>	<u>9,315,255</u>
Total	<u>9,716,218</u>	<u>9,750,243</u>
Source of funds		
General fund	4,667,495	4,704,762
Special funds	57,990	57,990
Federal funds	4,350,417	4,347,175
Global Commitment fund	<u>640,316</u>	<u>640,316</u>
Total	<u>9,716,218</u>	<u>9,750,243</u>

Sec. 37. 2016 Acts and Resolves No. 172, Sec. B.326 is amended to read:

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

Personal services	289,008	286,726
Operating expenses	53,816	53,816
Grants	<u>11,257,176</u>	<u>11,429,642</u>
Total	<u>11,600,000</u>	<u>11,770,184</u>
Source of funds		
Special funds	10,600,000	10,542,028
Federal funds	<u>1,000,000</u>	<u>1,228,156</u>
Total	<u>11,600,000</u>	<u>11,770,184</u>

Sec. 38. 2016 Acts and Resolves No. 172, Sec. B.327 is amended to read:

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

Personal services	4,795,936	4,752,553
Operating expenses	<u>694,946</u>	<u>694,946</u>
Total	5,490,882	5,447,499
Source of funds		
General fund	1,035,771	2,540,303
Global Commitment fund	4,358,111	2,810,196
Interdepartmental transfers	<u>97,000</u>	<u>97,000</u>
Total	5,490,882	5,447,499

Sec. 39. 2016 Acts and Resolves No. 172, Sec. B.328 is amended to read:

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

Personal services	5,701,206	5,657,262
Operating expenses	<u>527,556</u>	<u>527,556</u>
Total	6,228,762	6,184,818
Source of funds		
General fund	0	41,250
Federal funds	5,963,048	5,921,480
Global Commitment fund	<u>265,714</u>	<u>222,088</u>
Total	6,228,762	6,184,818

Sec. 40. 2016 Acts and Resolves No. 172, Sec. B.329 is amended to read:

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

Personal services	29,605,791	30,562,289
Operating expenses	<u>5,211,053</u>	<u>5,211,053</u>
Total	34,816,844	35,773,342
Source of funds		
General fund	11,637,389	13,736,730
Special funds	1,390,457	1,390,457
Federal funds	13,491,875	15,865,166
Global Commitment fund	<u>7,230,839</u>	<u>3,714,705</u>
Interdepartmental transfers	<u>1,066,284</u>	<u>1,066,284</u>
Total	34,816,844	35,773,342

Sec. 41. 2016 Acts and Resolves No. 172, Sec. B.330 is amended to read:

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

Grants	<u>20,787,826</u>	<u>21,009,192</u>
Total	<u>20,787,826</u>	<u>21,009,192</u>
Source of funds		
General fund	7,952,440	8,258,045
Federal funds	6,992,730	7,109,531
Global Commitment fund	<u>5,842,656</u>	<u>5,641,616</u>
Total	<u>20,787,826</u>	<u>21,009,192</u>

Sec. 42. 2016 Acts and Resolves No. 172, Sec. B.333 is amended to read:

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

Grants	<u>198,329,289</u>	<u>197,653,038</u>
Total	<u>198,329,289</u>	<u>197,653,038</u>
Source of funds		
General fund	155,125	155,125
Special funds	15,463	15,463
Federal funds	359,857	359,857
Global Commitment fund	<u>197,798,844</u>	<u>197,122,593</u>
Total	<u>198,329,289</u>	<u>197,653,038</u>

Sec. 43. 2016 Acts and Resolves No. 172, Sec. B.338 is amended to read:

Sec. B.338 Corrections - correctional services

Personal services	110,418,338	109,759,491
Operating expenses	20,357,559	20,357,559
Grants	<u>9,872,638</u>	<u>9,872,638</u>
Total	<u>140,648,535</u>	<u>139,989,688</u>
Source of funds		
General fund	133,763,426	133,104,579
Special funds	629,963	629,963
Federal funds	470,962	470,962
Global Commitment fund	5,387,869	5,387,869
Interdepartmental transfers	<u>396,315</u>	<u>396,315</u>
Total	<u>140,648,535</u>	<u>139,989,688</u>

Sec. 44. 2016 Acts and Resolves No. 172, Sec. B.342 is amended to read:

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

Personal services	17,571,664	18,961,591
Operating expenses	<u>4,794,203</u>	<u>4,794,203</u>
Total	<u>22,365,867</u>	<u>23,755,794</u>
Source of funds		
General fund	5,923,637	7,313,564
Special funds	8,655,269	8,655,269
Federal funds	7,375,975	7,375,975
Global Commitment fund	<u>410,986</u>	<u>410,986</u>
Total	<u>22,365,867</u>	<u>23,755,794</u>

Sec. 45. 2016 Acts and Resolves No. 172, Sec. B.345 is amended to read:

Sec. B.345 Green Mountain Care Board

Personal services	8,736,409	8,736,409
Operating expenses	<u>835,995</u>	<u>1,230,995</u>
Total	<u>9,572,404</u>	<u>9,967,404</u>
Source of funds		
General fund	1,243,276	1,401,276
Special funds	<u>2,105,927</u>	<u>2,342,927</u>
Federal funds	448,808	448,808
Global Commitment fund	4,281,832	4,281,832
Interdepartmental transfers	<u>1,492,561</u>	<u>1,492,561</u>
Total	<u>9,572,404</u>	<u>9,967,404</u>

Sec. 46. 2016 Acts and Resolves No. 172, Sec. B.346 is amended to read:

Sec. B.346 Total human services

Source of funds		
General fund	699,053,240	693,886,463
Special funds	101,134,220	99,545,755
Tobacco fund	31,364,696	33,550,914
State health care resources fund	<u>286,005,627</u>	<u>297,599,293</u>
Education fund	3,109,463	3,109,463
Federal funds	1,402,880,147	1,391,826,777
Global Commitment fund	<u>1,616,937,101</u>	<u>1,540,769,628</u>
Internal service funds	1,908,035	1,908,035
Interdepartmental transfers	25,648,419	24,664,768
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	<u>4,168,065,948</u>	<u>4,086,886,096</u>

Sec. 47. 2016 Acts and Resolves No. 172, Sec. B.400 is amended to read:

Sec. B.400 Labor - programs

Personal services	31,244,618	31,385,327
Operating expenses	9,723,007	9,723,007
Grants	<u>225,000</u>	<u>225,000</u>
Total	41,192,625	41,333,334
Source of funds		
General fund	3,314,311	3,455,020
Special funds	3,363,869	3,363,869
Federal funds	32,805,942	32,805,942
Interdepartmental transfers	<u>1,708,503</u>	<u>1,708,503</u>
Total	41,192,625	41,333,334

Sec. 48. 2016 Acts and Resolves No. 172, Sec. B.401 is amended to read:

Sec. B.401 Total labor

Source of funds		
General fund	3,314,311	3,455,020
Special funds	3,363,869	3,363,869
Federal funds	32,805,942	32,805,942
Interdepartmental transfers	<u>1,708,503</u>	<u>1,708,503</u>
Total	41,192,625	41,333,334

Sec. 49. 2016 Acts and Resolves No. 172, Sec. B.500 is amended to read:

Sec. B.500 Education - finance and administration

Personal services	9,135,219	9,171,719
Operating expenses	2,507,191	2,530,691
Grants	<u>15,810,700</u>	<u>15,810,700</u>
Total	27,453,110	27,513,110
Source of funds		
General fund	3,621,946	3,851,946
Special funds	16,821,588	16,821,588
Education fund	1,014,007	1,014,007
Federal funds	5,036,834	5,036,834
Global Commitment fund	958,735	618,735
Interdepartmental transfers	<u>0</u>	<u>170,000</u>
Total	27,453,110	27,513,110

Sec. 50. 2016 Acts and Resolves No. 172, Sec. B.504.1 is amended to read:

Sec. B.504.1 Education - Flexible Pathways

Grants	<u>4,750,000</u>	<u>6,147,950</u>
Total	4,750,000	6,147,950
Source of funds		
Education fund	<u>4,750,000</u>	<u>6,147,950</u>
Total	4,750,000	6,147,950

Sec. 51. 2016 Acts and Resolves No. 172, Sec. B.516 is amended to read:

Sec. B.516 Total general education

Source of funds		
General fund	416,211,446	416,441,446
Special funds	19,818,405	19,818,405
Tobacco fund	750,389	750,389
Education fund	<u>1,561,914,715</u>	<u>1,563,312,665</u>
Federal funds	136,221,887	136,221,887
Global Commitment fund	<u>958,735</u>	<u>618,735</u>
Interdepartmental transfers	<u>1,324,368</u>	<u>1,494,368</u>
Pension trust funds	<u>9,640,893</u>	<u>9,640,893</u>
Total	2,146,840,838	2,148,298,788

Sec. 52. 2016 Acts and Resolves No. 172, Sec. B.602 is amended to read:

Sec. B.602 Vermont state colleges

Grants	<u>24,300,464</u>	<u>25,070,464</u>
Total	24,300,464	25,070,464
Source of funds		
General fund	<u>24,300,464</u>	<u>25,070,464</u>
Total	24,300,464	25,070,464

Sec. 53. 2016 Acts and Resolves No. 172, Sec. B.608 is amended to read:

Sec. B.608 Total higher education

Source of funds		
General fund	83,981,346	84,751,346
Global Commitment fund	<u>4,455,678</u>	<u>4,455,678</u>
Total	88,437,024	89,207,024

Sec. 54. 2016 Acts and Resolves No. 172, Sec. B.700 is amended to read:

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

Personal services	3,517,448	3,517,448
Operating expenses	<u>2,128,893</u>	<u>2,203,893</u>

Grants	<u>114,960</u>	<u>114,960</u>
Total	5,761,301	5,836,301
Source of funds		
General fund	4,850,163	4,925,163
Special funds	472,400	472,400
Federal funds	275,000	275,000
Interdepartmental transfers	<u>163,738</u>	<u>163,738</u>
Total	5,761,301	5,836,301

Sec. 55. 2016 Acts and Resolves No. 172, Sec. B.702 is amended to read:

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

Personal services	16,280,543	16,345,543
Operating expenses	5,286,467	5,286,467
Grants	<u>739,000</u>	<u>739,000</u>
Total	22,306,010	22,371,010
Source of funds		
General fund	4,987,323	5,052,323
Special funds	77,955	77,955
Fish and wildlife fund	9,592,312	9,592,312
Federal funds	7,531,572	7,531,572
Interdepartmental transfers	115,848	115,848
Permanent trust funds	<u>1,000</u>	<u>1,000</u>
Total	22,306,010	22,371,010

Sec. 56. 2016 Acts and Resolves No. 172, Sec. B.710 is amended to read:

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

Personal services	10,490,655	12,559,102
Operating expenses	8,220,578	8,220,578
Grants	<u>1,949,993</u>	<u>1,949,993</u>
Total	20,661,226	22,729,673
Source of funds		
General fund	90,472	90,472
Special funds	16,726,784	18,795,231
Federal funds	3,629,701	3,629,701
Interdepartmental transfers	<u>214,269</u>	<u>214,269</u>
Total	20,661,226	22,729,673

Sec. 57. 2016 Acts and Resolves No. 172, Sec. B.714 is amended to read:

Sec. B.714 Total natural resources

Source of funds		
General fund	27,106,133	27,246,133

Special funds	43,900,501	45,968,948
Fish and wildlife fund	9,592,312	9,592,312
Federal funds	43,637,187	43,637,187
Interdepartmental transfers	7,695,501	7,695,501
Permanent trust funds	<u>1,000</u>	<u>1,000</u>
Total	131,932,634	134,141,081

Sec. 58. 2016 Acts and Resolves No. 172, Sec. B.1000 is amended to read:

Sec. B.1000 Debt service

Operating expenses	<u>76,991,491</u>	<u>76,991,491</u>
Total	76,991,491	76,991,491
Source of funds		
General fund	71,119,465	71,120,080
Transportation fund	1,884,089	1,884,089
Special funds	336,000	336,000
ARRA funds	1,150,524	1,149,919
TIB debt service fund	<u>2,501,413</u>	<u>2,501,413</u>
Total	76,991,491	76,991,491

Sec. 59. 2016 Acts and Resolves No. 172, Sec. B.1001 is amended to read:

Sec. B.1001 Total debt service

Source of funds		
General fund	71,119,465	71,120,080
Transportation fund	1,884,089	1,884,089
Special funds	336,000	336,000
ARRA funds	1,150,524	1,149,919
TIB debt service fund	<u>2,501,413</u>	<u>2,501,413</u>
Total	76,991,491	76,991,491

Sec. 60. FUND TRANSFERS

(a) Notwithstanding any provision of law to the contrary, in fiscal year 2017:

(1) The following amounts shall be transferred to the General Fund from the funds indicated:

<u>21054</u>	<u>Misc. Fines & Penalties</u>	<u>442,849.77</u>
<u>21065</u>	<u>Financial Institute Supervision</u>	<u>728,499.86</u>
<u>21405</u>	<u>Bond Investment Earnings Fund</u>	<u>161,100.90</u>
<u>21550</u>	<u>Land & Facilities Trust Fund</u>	<u>450,000.00</u>
<u>21641</u>	<u>AG – Administrative Special Fund</u>	<u>30,848.02</u>

<u>21638</u>	<u>AG – Fees & Reimbursements -Court Order</u>	<u>2,400,000.00</u>
<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>28,040,542.00</u>
<u>50300</u>	<u>Liquor Control Fund</u>	<u>955,000.00</u>
	<u>Caledonia Fair</u>	<u>5,000.00</u>
	<u>North Country Hospital Loan</u>	<u>24,250.00</u>

(2) All or a portion 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) expected to be approximately \$22,452,018 shall be transferred to the General Fund, provided that on or before July 1, 2017, the Commissioner of Financial Regulation certifies to the Joint Fiscal Committee that the transfer of such balances, or any smaller portion deemed proper by the Commissioner, will not impair the ability of the Department in fiscal year 2018 to provide thorough, competent, fair, and effective regulatory services, or maintain accreditation by the National Association of Insurance Commissioners; and that the Joint Fiscal Committee does not reject such certification.

(3) The following amounts shall be transferred from the General Fund to the funds indicated:

<u>21275</u>	<u>Environmental Contingency Fund</u>	<u>500,000.00</u>
<u>21555</u>	<u>Emergency Relief and Assistance Fund</u>	<u>1,176,226.00</u>
<u>59500</u>	<u>Single Audit Revolving Fund</u>	<u>196,169.00</u>

(4) The following amount shall be transferred to the General Fund from the Agency of Human Services' earned federal receipts and reserved in the Human Services Caseload Reserve established in 32 V.S.A. § 308b and amended by Sec. 75 of this act.

<u>22005</u>	<u>AHS Central Office earned federal receipts</u>	<u>10,000,000.00</u>
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Sec. 61. REVERSIONS

(a) Notwithstanding any provision of law to the contrary, in fiscal year 2017:

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

<u>1100030000</u>	<u>Pay Plan Adjustment</u>	<u>659,116.00</u>
<u>1240001000</u>	<u>Lieutenant Governor's Office</u>	<u>4,603.00</u>
<u>1250010000</u>	<u>Auditor of Accounts</u>	<u>63,533.00</u>

<u>1260010000</u>	<u>Office of the Treasurer</u>	<u>35,868.00</u>
<u>2100001000</u>	<u>Attorney General's Office</u>	<u>25,416.00</u>
<u>3310000000</u>	<u>Commission on Women</u>	<u>10,890.00</u>
<u>3330010000</u>	<u>Green Mountain Care Board</u>	<u>296,663.00</u>
<u>5100070000</u>	<u>Education services</u>	<u>245,000.00</u>

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

<u>5100040000</u>	<u>Special Education Formula</u>	<u>9,212,026.11</u>
<u>5100050000</u>	<u>State-Placed Students</u>	<u>593,810.48</u>
<u>5100090000</u>	<u>Education Grant</u>	<u>341,879.54</u>
<u>5100190000</u>	<u>Essential Early Education Grant</u>	<u>209,218.79</u>
<u>5100120000</u>	<u>Debt Service Aid</u>	<u>100,447.00</u>
<u>5100200000</u>	<u>Education-Technical Education</u>	<u>203,853.72</u>
<u>5100060000</u>	<u>Adult Basic Education</u>	<u>1,397,949.90</u>

(3) The following amount shall revert to the Transportation Infrastructure Bond Fund from the account indicated:

<u>8100001700</u>	<u>Transportation – rest areas constructions</u>	<u>173,114.00</u>
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Sec. 61a. 2016 Acts and Resolves No. 172, Sec. E.126 is amended to read:

Sec. E.126 Legislature

(a) Notwithstanding any other provision of law, from fiscal year 2016 funds appropriated to the Legislature and carried forward into fiscal year 2017, the amount of \$113,500 shall revert to the General Fund. Of this amount \$30,000 shall revert from the appropriations in Dept. ID #1210891402 (expense reimbursement related to the child protection study) and Dept. ID#1210891401 (results-based accountability training).

* * *

Sec. 62. EXPENDITURE OF HUMAN SERVICES CASELOAD RESERVE

(a) In fiscal year 2017, \$3,738,117 from the General Fund is appropriated to the Commissioner of Finance and Management for transfer to the Agency of Human Services – Global Commitment to ensure sufficient funding for Global Commitment during fiscal year 2017. Prior to the close of fiscal year 2017, the Commissioner shall determine the amount needed for transfer, and shall provide a written report to the Joint Fiscal Committee of the determination and

the amount transferred. Any funds remaining in this appropriation and not transferred shall revert to the General Fund in fiscal year 2017.

(b) The amount of funds appropriated in subsection (a) of this section shall be unreserved from the Human Services Caseload Reserve established in 32 V.S.A. § 308b. The funds reverted in subsection (a) of this section shall be reserved in the Human Services Caseload Reserve.

Sec. 63. 2014 Acts and Resolves No. 120, Sec. 4(d) is amended to read:

~~(d) On or after July 1, 2018~~ By June 30, 2017, if the Attorney General is not involved in ongoing litigation regarding the requirements of 9 V.S.A. chapter 82A and monies in the Fund exceed the costs or liabilities of the Attorney General or the State:

(1) unexpended monies in the Fund received from private or public sources shall be appropriated by the General Assembly, after review by the Senate and House Committees on Appropriations, the Senate Committee on Agriculture, and the House Committee on Agriculture and ~~Forest Products Forestry~~, for the support of agricultural activities or agricultural purposes in the State, including promotion of value-added products, compliance with water quality requirements, and marketing assistance and development; and

(2) unexpended State monies in the Fund shall ~~revert~~ be transferred to the General Fund.

Sec. 64. TRANSPORTATION FUND APPROPRIATION REDUCTIONS

(a) The Secretary of Administration, after consulting with the Secretary of Transportation, shall reduce Transportation Fund appropriations to the Agency of Transportation to the extent necessary to ensure the Transportation Fund Stabilization Reserve is funded at its maximum statutory level at the close of fiscal year 2017.

(b) In making any appropriation reductions authorized under subsection (a) of this section, the Secretary of Administration shall avoid, to the extent possible, any reductions in appropriations to the town programs described in 19 V.S.A. § 306. Any reductions to these town programs shall not affect projects or grants, and any appropriation reductions shall be replaced in fiscal year 2018.

(c) In July 2017, the Secretary of Administration shall report any appropriation reductions made under the authority of this section to the Joint Fiscal Office, the Joint Fiscal Committee, and the Joint Transportation Oversight Committee.

Sec. 65. HOME HEATING FUEL ASSISTANCE FUND REPEAL AND TRANSFER

(a) 33 V.S.A. §§ 2602(d) and 2603, Home Heating Fuel Assistance Fund (#21210), are repealed.

(b) The balance remaining in the Fund shall be transferred to the General Fund.

Sec. 66. INDUSTRIAL HOMEWORK FUND REPEAL AND TRANSFER

(a) 33 V.S.A. § 1502(6) is repealed.

(b) The balance remaining in the Industrial Homework Fund shall be transferred to the General Fund.

Sec. 67. AQUATIC NUISANCE CONTROL FUND REPEAL AND TRANSFER

(a) General funds shall be transferred to the Aquatic Nuisance Control Fund in the amount needed to bring the Fund balance to zero.

Sec. 68. CARRY FORWARD AUTHORITY

(a) Notwithstanding any other provisions of law and subject to the approval of the Secretary of Administration, General, Transportation, Transportation Infrastructure Bond, and Education Fund appropriations remaining unexpended on June 30, 2017 in the Executive Branch of State government shall be carried forward and shall be designated for expenditure.

(b) Notwithstanding any other provisions of law, General Fund appropriations remaining unexpended on June 30, 2017 in the Legislative and Judicial branches of State government shall be carried forward and shall be designated for expenditure.

Sec. 69. 2016 Acts and Resolves No.172, Sec. B.1103(a) is amended to read:

(a) ~~The Secretary of Administration shall reduce fiscal year 2017 appropriations and make transfers to the General Fund for a total of \$500,000 due to savings~~ Savings generated from improved risk management processes which are under way in the administration of the State's risk management programs shall be used to reduce projected fiscal year 2017 negative balances in the Risk Management Internal Service Fund.

Sec. 70. 2016 Acts and Resolves No.172, Sec. B.1106(b) is amended to read:

(b) The Secretary of Administration shall reduce fiscal year 2017 appropriations and make transfers to the General Fund for a total of \$550,000 \$343,369. Savings in the amount of \$206,631 are included in this fiscal year 2017 budget adjustment for a total savings of \$550,000. The remaining

appropriations and transfers for savings associated with positions abolished in subsection (a) of this section and shall include the appropriation reductions and transfers in the report be made prior to close out of fiscal year 2017 and be reported to the Joint Fiscal Committee in November 2016 at the July 2017 meeting.

Sec. 70a. 2016 Acts and Resolves No. 172, Sec. B.1107 is amended to read:

Sec. B.1107 FISCAL YEAR 2017 APPROPRIATED RESERVE

* * *

(c) Any remaining funds not approved for expenditure by December 15, 2016 shall be available for the fiscal year 2017 budget adjustment process revert to the General Fund in fiscal year 2017.

Sec. 71. GRAND LIST LITIGATION ASSISTANCE

(a) The funds transferred to the Attorney General and Department of Taxes from 2016 Acts and Resolves No. 172, Sec. B.139 by the Emergency Board on July 21, 2016 shall be reserved and used with any remaining funds from the amount previously transferred for 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. in the State of Vermont. Expenditures for this purpose shall be considered qualified expenditures under 16 V.S.A. § 4025(c).

Sec. 72. 2016 Acts and Resolves No.172, Sec. E.100 is amended to read:

Sec. E.100 EXECUTIVE BRANCH POSITION AUTHORIZATIONS

(a) The establishment of the following new permanent classified positions, intended to support the implementation of the All Payer Model, is authorized in fiscal year 2017 only if the Centers for Medicaid and Medicare Services (CMS) approves Vermont's request for a waiver.

(1) In the Green Mountain Care Board – one (1) ~~Health Care Statistical Information Administrator~~ Health Policy Analyst, one (1) ~~Health Facility Senior Auditor & Rate Specialist~~, and two (2) ~~Reimbursement Analyst, Financial Manager II~~, one (1) Financial Systems Analyst, and one (1) Health Policy Advisor.

* * *

Sec. 73. 19 V.S.A. § 11a(b) is amended to read:

(b) In fiscal year 2017 ~~and in succeeding fiscal years~~, of the funds appropriated to the Department of Public Safety pursuant to subsection (a) of this section, the amount of ~~\$2,100,000.00~~ \$1,680,000.00 is allocated

exclusively for the purchase, outfitting, assignment, and disposal of State Police vehicles. In fiscal year 2018 and in succeeding fiscal years, of the funds appropriated to the Department of Public Safety pursuant to subsection (a) of this section, the amount of \$2,100,000.00 is allocated exclusively for the purchase, outfitting, assignment, and disposal of State Police vehicles. Any unexpended and unencumbered funds remaining in this allocation at the close of a fiscal year shall revert to the Transportation Fund. The Department of Public Safety may periodically recommend to the General Assembly that this allocation be adjusted to reflect market conditions for the vehicles and equipment.

Sec. 74. 2016 Acts and Resolves No. 172, Sec. D.101(a)(5) is amended to read:

(5) From the Evidence-Based Education and Advertising Fund established by 33 V.S.A. § 2004a to the General Fund. Notwithstanding any law to the contrary, the first \$500,000 of any cigarette tax receipts above the amount adopted in the forecast within the State Health Care Resources Fund in January 2016 by the Emergency Board for fiscal year 2016 shall be ~~deposited in~~ transferred to the Evidence-Based Evidence-Based Education and Advertising Fund: \$1,800,000.

Sec. 75. 32 V.S.A. § 308b(b) is amended to read:

(b) The Secretary of Administration may transfer to the Human Services Caseload Reserve any General Fund carry-forward directly attributable to ~~Aid to Needy Families with Children (ANFC)~~ Agency of Human Services caseload reductions and the effective management of related federal receipts, with the exclusion of the Department of Corrections.

Sec. 75a. REPEAL; HOME HEALTH PROSPECTIVE PAYMENT

(a) 33 V.S.A. § 1901h (Prospective payment; home health services) is repealed.

Sec. 76. GLOBAL COMMITMENT APPROPRIATIONS; TRANSFER; REPORT

(a) In order to facilitate the end-of-year closeout for fiscal year 2017, 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 2017 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. 77. TREATMENT FOR SUBSTANCE USE DISORDER; WAIVER AMENDMENT

(a) The Secretary of Human Services may seek approval from the Centers for Medicare and Medicaid Services to amend Vermont's Global Commitment to Health Section 1115 waiver to include the design, development, and implementation of a substance use disorder treatment system that includes a continuum of services to improve care and outcomes for individuals with substance use disorder.

Sec. 78. 2016 Acts and Resolves No. 172, Sec. E.301(b) is amended to read:

(b) In addition to the State funds appropriated in this section, a total estimated sum of ~~\$29,633,326~~ \$28,082,571 is anticipated to be certified as State matching funds under the Global Commitment as follows:

(1) ~~\$18,500,400~~ \$23,068,400 certified State match available from local education agencies for eligible special education school-based Medicaid services under the Global Commitment. This amount combined with ~~\$21,999,600~~ \$27,431,600 of federal funds appropriated in Sec. B.301 of this act equals a total estimated expenditure of ~~\$40,500,000~~ \$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) \$4,091,214 certified State match available from local education agencies for direct schoolbased health services, including school nurse services, that increase the access of quality health care to uninsured persons, underinsured persons, and Medicaid beneficiaries.~~

~~(3) \$1,883,273~~ \$941,637 certified State match available from local education agencies for eligible services as allowed by federal regulation for early periodic screening, diagnosis, and treatment programs for schoolage children.

~~(4)~~(3) ~~\$2,731,052~~ \$1,716,095 certified State match available via the University of Vermont's Child Health Improvement Program for quality improvement initiatives for the Medicaid program.

(5)(4) \$2,427,387 \$2,356,439 certified State match available from local designated mental health and developmental services agencies for eligible mental health services provided under Global Commitment.

Sec. 79. CORRECTIONS APPROPRIATIONS; TRANSFER; REPORT

(a) In fiscal year 2017, 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. 80. 2016 Acts and Resolves No. 113, Sec. 13 is amended to read:

Sec. 13. MEDICAID ADVISORY RATE CASE FOR ACO SERVICES

(a) On or before December 31, ~~2016~~ 2017, the Green Mountain Care Board shall review any all-inclusive population-based payment arrangement between the Department of Vermont Health Access and an accountable care organization for calendar year years 2017 and 2018. The Board's review shall include the number of attributed lives, eligibility groups, covered services, elements of the per-member, per-month payment, and any other nonclaims payments. The Board's review may include deliberative sessions to the same extent as allowable under insurance rate review in 8 V.S.A. § 4062.

(b) The review shall be nonbinding on the Agency of Human Services, and nothing in this section shall be construed to abrogate the designation of the Agency of Human Services as the single State agency as required by 42 C.F.R. §431.10.

(c) The Board shall review the payment arrangement prior to the finalization of a contract between the Department and the accountable care organization and shall maintain the confidentiality of information necessary to preserve contract negotiations of the parties. The Board shall release its advisory opinion within 30 days of the finalization of the contract between the parties.

(d) The Department of Vermont Health Access shall provide the Board and its contractors such data and information as requested by the Board for its review in the time frame set forth by the Board.

Sec. 81. REPEAL

(a) 2016 Acts and Resolves No.172, Sec. E.345.1 (Green Mountain Care Board; All Payer Model Agreement) is repealed.

Sec. 82. BENNINGTON PFOA RESPONSE EXPENDITURES

(a) Notwithstanding the \$100,000 minimum balance required by 10 V.S.A. § 1283(b), the Secretary may spend funds in fiscal year 2017 necessary to investigate and remediate the release of perfluorooctanoic acid (PFOA) in the Town of Bennington and Village of North Bennington. To the extent that these expenditures exceed receipts to the Fund established by 10 V.S.A. § 1283, the Secretary shall include those expenditures in the fiscal year 2018 budget request.

Sec. 83. EXEMPTIONS FROM TRANSPORTATION FUND BUDGET STABILIZATION RESERVES

(a) Transportation Fund amounts totaling \$2,560,373.70, reverted under the Secretary of Administration's carry-forward authority in 2016 Acts and Resolves No. 68, Sec. 56(a), are exempt from the fiscal year 2016 Transportation Fund appropriation total used to calculate the five percent budget stabilization requirement for fiscal year 2017 in 32 V.S.A. § 308a.

Sec. 84. EFFECTIVE DATE

(a) This act shall take effect on passage.

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

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

Election of Senate Members to Judicial Nominating Board

The President announced that the next order of business was the election of three members of the Senate to serve on the Judicial Nominating Board pursuant to 4 V.S.A. §601.

Senator Ashe, on behalf of the Committee on Committees, placed in nomination the names of the following Senators to serve on the Board:

CLAIRE D. AYER

of Addison District, as the majority party member of the Board.

BRIAN P. COLLAMORE

of Rutland District, as the minority party member of the Board.

JOHN S. RODGERS

of Essex-Orleans District, as the third member of the Board.

Senator Mazza of Grand Isle District seconded these nominations.

There being no further nominations, on motion of Senator Ashe, the nominations were closed, and the Secretary was instructed to cast one ballot for

CLAIRE D. AYER

of Addison District, as the majority party member of the Board, for a term of two years or until her successor is elected and has qualified.

BRIAN P. COLLAMORE

of Rutland District, as the minority party member of the Board, for a term of two years or until his successor is elected and has qualified.

JOHN S. RODGERS

of Essex-Orleans District, as the third member of the Board, for a term of two years or until his successor is elected and has qualified.

Adjournment

On motion of Senator Ashe, the Senate adjourned until eleven o'clock and thirty minutes in the morning.