

**No. 154. An act relating to legislative review of certain report requirements.**

(H.895)

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

\* \* \* Report Requirements Repealed \* \* \*

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

§ 4082. VERMONT FISH AND WILDLIFE REGULATIONS

\* \* \*

(b)(1) Except as provided for under subdivision (2) of this subsection, the Board annually may adopt rules relating to the management of migratory game birds, and shall follow the procedures for rulemaking contained in 3 V.S.A. chapter 25. For each such rule, the Board shall conduct a hearing but, when necessary, may schedule the hearing for a day before the terms of the rule are expected to be determined.

(2) Beginning with the 2015 hunting season, the Board may set by procedure the daily bag and possession limits of migratory game birds that may be harvested in each Waterfowl Hunting Zone annually without following the procedures for rulemaking contained in 3 V.S.A. chapter 25. The annual daily bag and possession limits of migratory game birds shall be consistent with federal requirements. Prior to setting the migratory game bird daily bag and possession limits, the Board shall provide a period of not less than 30 days of public notice and shall conduct at least two public informational hearings. The final migratory game bird daily bag and possession limits shall be

enforceable by the Department under its enforcement authority in part 4 of this title. ~~Annually, on or before January 15, the Department shall submit the final migratory game bird daily bag and possession limits to the House Committee on Fish, Wildlife and Water Resources and the Senate Committee on Natural Resources and Energy.~~

\* \* \*

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

§ 2888. VERMONT STRONG SCHOLARS INITIATIVE

\* \* \*

(b) Vermont Strong Loan Forgiveness Program.

(1) Occupations; projections.

\* \* \*

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

[Repealed.]

\* \* \*

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

§ 9375. DUTIES

\* \* \*

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

\* \* \*

(3) Prior to implementing Green Mountain Care and annually after implementation, recommend to ~~the General Assembly and~~ the Governor a three-year Green Mountain Care budget pursuant to 32 V.S.A. chapter 5, to be adjusted annually in response to realized revenues and expenditures, that reflects any modifications to the benefit package and includes recommended appropriations, revenue estimates, and necessary modifications to tax rates and other assessments.

\* \* \*

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

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

~~(a) Annually on or before September 15, the Green Mountain Care Board and the Department of Financial Regulation shall report to the House Committee on Health Care, the Senate Committees on Health and Welfare and on Finance, and the House and Senate Committees on Appropriations the total amount of all expenses eligible for allocation pursuant to 18 V.S.A. §§ 9374(h)~~

~~and 9415 during the preceding state fiscal year and the total amount actually billed back to the regulated entities during the same period.~~

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

\* \* \* Reports Requirements Modified \* \* \*

Sec. 4a. 18 V.S.A. § 4803 is amended to read:

§ 4803. ALCOHOL AND DRUG ABUSE COUNCIL; CREATION; TERMS;  
PER DIEM

\* \* \*

~~(g)(1) Annually on or before November 15, the~~ The Council shall may submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare with its findings and any recommendations for legislative action.

\* \* \*

Sec. 4b. 18 V.S.A. § 5208 is amended to read:

§ 5208. DEPARTMENT OF HEALTH; REPORT ON STATISTICS

\* \* \*

~~(b) In addition to the report required by subsection (a) of this section and notwithstanding the provisions of 2 V.S.A. § 20(d), beginning March 1, 2014 and annually thereafter, the Department shall report to the House Committees on Human Services and on Health Care, the Senate Committee on Health and~~

~~Welfare, and the House and Senate Committees on Judiciary regarding the number of persons who died during the preceding calendar year from an overdose of a Schedule II, III, or IV controlled substance. The report shall list separately the number of deaths specifically related to opioids, including for each death whether an opioid antagonist was administered and whether it was administered by persons other than emergency medical personnel, firefighters, or law enforcement officers. Beginning in 2015, the report shall include similar data from prior years to allow for comparison. [Repealed.]~~

Sec. 4c. 19 V.S.A. § 42 is amended to read:

§ 42. REPORTS PRESERVED; CONSOLIDATED TRANSPORTATION  
REPORT

\* \* \*

(b) Annually, on or before January 15, the Agency shall submit a consolidated transportation system and activities report to the House and Senate Committees on Transportation. The report shall consist of:

(1) Financial and performance data of all public transit systems, as defined in 24 V.S.A. § 5088(6), that receive operating subsidies in any form from the State or federal government, including subsidies related to the Elders and Persons with Disabilities Transportation Program for service and capital equipment. This component of the report shall:

\* \* \*

(C) show as a separate category financial and performance data on the Elders and Persons with Disabilities Transportation Program;

~~(D) describe any action the Agency has taken pursuant to contractual authority to terminate funding for routes or to request service changes for failure to meet performance standards.~~

(2) Data on pavement conditions of the State highway system ~~that, at a minimum, shall include a pavement condition index that rates the State highway system and the current and historic percentage of State highway pavement mileage that is rated in poor or very poor condition.~~

(3) A description of the conditions of bridges, culverts, and other structures on the State highway system and on town highways ~~and of the status of the accelerated bridge program.~~

\* \* \*

(6) A summary of the statuses of aviation, rail, and public transit ~~projects programmed for construction during the previous calendar year programs.~~

\* \* \*

(8) An overview of operations and maintenance activities, including winter maintenance statistics, ~~snow and ice control plans, and equipment performance measures.~~

(9) ~~Data on the miles of State highway paving completed during the previous construction season.~~

~~(10)~~ A list of projects for which the construction phase was completed during the most recent construction season.

~~(11)~~(10) Such other information that the Secretary determines the Committees on Transportation need to perform their oversight role.

Sec. 4d. 2014 Acts and Resolves No. 179, Sec. E.306.2 is amended to read:

Sec. E.306.2 SUBSTANCE ABUSE TREATMENT SERVICES

(a) Program Objectives And Performance Measures:

\* \* \*

~~(2) Thereafter, annually, on or before January 15, the Chief, Secretary, and Commissioners shall report to those Committees on the service delivery system's success in reaching the program objectives using the performance measure data collected for those services. [Repealed.]~~

\* \* \*

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

Sec. 42a. EXCHANGE IMPACT REPORT

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

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

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

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

\* \* \*

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

Sec. 6. REPORTS REPEAL DELAYED

The reports set forth in this section shall not be subject to review under the provisions of 2 V.S.A. § 20(d) (expiration of required reports) until

July 1, 2022:

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

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

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

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

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

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

(7) 32 V.S.A. § 3481(1)(C) (report on appraised value of owner-occupied housing that is subject to a housing subsidy covenant);

(8) 33 V.S.A. § 1702 (report on SNAP payment error rate);

(9) 2010 Acts and Resolves No. 156, Sec. E.114(a) (report on number of State employees exceeding \$14,000.00 reimbursement for mileage use on private vehicle); 2013 Acts and Resolves No. 68, Sec. 3 (on the incidences of concussions sustained by student athletes in Vermont); 2014 Acts and Resolves No. 163, Sec. 3(b) (report on number of temporary employees employed by the Department of Corrections); 2014 Acts and Resolves No. 180, Sec. 2(c) (report from Criminal Justice Training Council on incidents involving the use of an electronic control device); 2014 Acts and Resolves No. 188, Sec. 3 (concerning implementation, administration, and financing by the Department of Health of the requirements of 18 V.S.A. chapter 38A); 2014 Acts and Resolves No. 195, Sec. 3(f) (report on system to evaluate goals and performance of the pretrial services); 2014 Acts and Resolves No. 195, Sec. 4(b) (report on county alternative justice programs, protocols for the programs, and number served by program).

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

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

§ 331. TEMPORARY EMPLOYEES

\* \* \*

(c)(1) The Commissioner may authorize the continued employment of a person in a temporary capacity for more than 1,280 hours in any one calendar year if the Commissioner determines, in writing, that a bona fide emergency exists for the appointing authority that requires such continued employment.

Annually, on or before January 15, the Commissioner shall submit a report to the ~~General Assembly~~ House Committee on General, Housing, and Military Affairs and the House and Senate Committees on Government Operations:

\* \* \*

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

§ 3090. HUMAN SERVICES BOARD

\* \* \*

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

\* \* \*

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

§ 1716. CHIEF EXECUTIVE OFFICER

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

\* \* \*

(11) Report annually on or before July 1 to the Secretary of Administration; ~~the House Committees on Appropriations, on General, Housing and Military Affairs, and on Government Operations; and the Senate~~

~~Committees on Appropriations, on Economic Development, Housing and  
General Affairs, and on Government Operations~~ 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.

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

§ 3481. DEFINITIONS

The following definitions shall apply in this Part and chapter 101 of this  
title, pertaining to the listing of property for taxation:

(1)(A) "Appraisal value" shall mean, with respect to property enrolled in  
a use value appraisal program, the use value appraisal as defined in subdivision  
3752(12) of this title, multiplied by the common level of appraisal, and with  
respect to all other property, except for owner-occupied housing identified in  
subdivision (C) of this subdivision (1), the estimated fair market value. The  
estimated fair market value of a property is the price that the property will  
bring in the market when offered for sale and purchased by another, taking into  
consideration all the elements of the availability of the property, its use both  
potential and prospective, any functional deficiencies, and all other elements  
such as age and condition ~~which~~ that combine to give property a market value.  
Those elements shall include the effect of any State or local law or regulation  
affecting the use of land, including 10 V.S.A. chapter 151 or any land  
capability plan established in furtherance or implementation thereof, rules  
adopted by the State Board of Health, and any local or regional zoning

ordinances or development plans. In determining estimated fair market value, the sale price of the property in question is one element to consider, but is not solely determinative.

\* \* \*

(C) For owner-occupied housing that is subject to a housing subsidy covenant, as defined in 27 V.S.A. § 610, imposed by a governmental, quasi-governmental, or public purpose entity, that limits the price for which the property may be sold, the housing subsidy covenant shall be deemed to cause a material decrease in the value of the owner-occupied housing, and the appraisal value means not less than 60 and not more than 70 percent of what the fair market value of the property would be if it were not subject to the housing subsidy covenant. Every five years, starting in 2019, the Commissioner of Taxes, in consultation with the Vermont Housing Conservation Board, shall report to the ~~General Assembly~~ House Committee on Ways and Means on whether the percentage of appraised valued used in this subdivision should be altered, and the reasons for his or her determination.

\* \* \*

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

§ 1702. PAYMENT ERROR RATE REPORT

On or before January 1 of the year following any federal fiscal year in which the State of Vermont receives a federal sanction for a payment error rate greater than the federal threshold in the Supplemental Nutrition Assistance

Program (SNAP), the Department for Children and Families shall report to the ~~House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare~~ Senate Committee on Appropriations regarding:

\* \* \*

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

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

(a) The commissioner of the department of buildings and general services shall submit a report to the house ~~and senate committees~~ committee on appropriations by January 15th of each year detailing the number of state employees, by department, that exceed a \$14,000 mileage reimbursement amount for use of their private vehicle.

\* \* \*

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

Sec. 3. REPORT

To the extent permitted by applicable state and federal law, the Vermont Traumatic Brain Injury Advisory Board (the Board) shall obtain information necessary to create an annual report on the incidences of concussions sustained by student athletes in Vermont in the previous school year. To the extent such information is available, the report shall include the number of concussions sustained by student athletes in Vermont, the sport the student athlete was playing when he or she sustained the concussion, the number of Vermont

student athletes treated in emergency rooms for concussions received while participating in school athletics, and who made the decision that a student athlete was able to return to play. For purposes of the report, the Board shall consult with the Vermont Principals' Association and the Vermont Association of Athletic Trainers. If the Board obtains information sufficient to create the report, it shall report on or before December 15 of each year starting in 2014 to the Senate and House Committees on Judiciary ~~and on Education~~.

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

Sec. 3. DEPARTMENT OF CORRECTIONS STAFFING STUDY

\* \* \*

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

\* \* \*

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

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

On or before January 15, 2015, and biennially thereafter, the Commissioner of Health, after consultation with the Secretary of Natural Resources, shall submit to ~~the Senate Committee on Health and Welfare~~, the House Committee

on Human Services, ~~the House Committee on Ways and Means, the Senate Committee on Finance,~~ and the Senate and House Committees on Appropriations; a report concerning implementation, administration, and financing by the Department of Health of the requirements of 18 V.S.A. chapter 38A regarding the chemicals of high concern to children. The report shall include:

\* \* \*

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

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

\* \* \*

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

\* \* \*

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

Sec. 4. PROSECUTOR PRECHARGE PROGRAM GUIDELINES AND REPORTING

\* \* \*

(b) On or before October 1, 2014, and annually thereafter, the Executive Director of the Department of State's Attorneys and Sheriffs shall report to the ~~General Assembly~~ House Committee on Corrections and Institutions and the House and Senate Committees on Judiciary detailing the alternative justice programs that exist in each county together with the protocols for each program, the annual number of persons served by the program, and a plan for how a sequential intercept model can be employed in the county. The report shall be prepared in cooperation with the Director of Court Diversion, a co-chair of the Community Justice Network of Vermont, and State, municipal, and county law enforcement officials.

\* \* \*

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

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

§ 2312. PERFORMANCE ACCOUNTABILITY LIAISONS TO THE  
GENERAL ASSEMBLY

\* \* \*

(c) Annually, on or before July 30 and as part of any other report requirement to the General Assembly set forth in this subchapter, the Chief Performance Officer shall report to the ~~General Assembly~~ House Committee on Appropriations and the House and Senate Committees on Government Operations on his or her analysis of the actions taken by the performance accountability liaisons under this section. 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. 19. 10 V.S.A. § 540 is amended to read:

§ 540. WORKFORCE EDUCATION AND TRAINING LEADER

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

\* \* \*

(4) Issue an annual report to the Governor ~~and the General Assembly,~~  
the House Committees on Appropriations and on Commerce and Economic Development, and the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs on or before December 1 that includes a systematic evaluation of the accomplishments of the State workforce investment system and the performance of participating agencies and institutions. 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.

\* \* \*

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

§ 1386. IMPLEMENTATION PLAN FOR THE LAKE CHAMPLAIN  
TOTAL MAXIMUM DAILY LOAD

\* \* \*

(e) Beginning on February 1, 2016, and annually thereafter, the Secretary, after consultation with the Secretary of Agriculture, Food and Markets and the Secretary of Transportation, shall submit to the House Committee on Natural Resources, Fish, and Wildlife, ~~the Senate Committee on Natural Resources and Energy, the House Committee on Agriculture and Forestry, and the Senate Committee on Agriculture~~ a summary of activities and measures of progress of water quality ecosystem restoration programs. 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. 21. 10 V.S.A. § 4082 is amended to read:

§ 4082. VERMONT FISH AND WILDLIFE REGULATIONS

\* \* \*

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

with the regional antlerless deer meetings required by 10 V.S.A. App. § 2b.

The final annual antlerless deer and moose harvest permit numbers shall be enforceable by the Department under its enforcement authority in part 4 of this title. The final annual antlerless deer and moose harvest permit numbers shall be reported to the House Committee on ~~Fish, Wildlife and Water Resources~~ and the Senate Committee on ~~Natural Resources and Energy~~ Natural Resources, Fish, and Wildlife as part of the annual deer report required under section 4084 of this title. 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. 22. 16 V.S.A. § 1944c is amended to read:

§ 1944c. EMPLOYER CHARGES FOR FEDERAL GRANTS OR  
REIMBURSEMENTS

\* \* \*

(c) The State Treasurer and the Secretary of Education shall establish procedures for the collection and deposit of those monies in the State Teachers' Retirement System of Vermont. The Secretary of Education may delay implementation upon review of the federal grant program to permit timely and accurate claims for reimbursement of retirement expenses under a particular federal program in order to receive funding under that program. The Secretary of Education shall provide an annual report to the ~~House and Senate Committees~~ Senate Committee on Appropriations and the House Committee on Education regarding progress in implementation of this section. 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. 23. 18 V.S.A. § 9374 is amended to read:

§ 9374. BOARD MEMBERSHIP; AUTHORITY

\* \* \*

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

\* \* \*

(4)(A) Annually on or before September 15, the Board and the Department of Financial Regulation shall report to the House and Senate Committees on Appropriations the total amount of all expenses eligible for allocation pursuant to this subsection (h) during the preceding State fiscal year and the total amount actually billed back to the regulated entities during the same period. 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.

(B) The Board and the Department shall also present the information required by this subsection (h) to the Joint Fiscal Committee annually at its September meeting.

\* \* \*

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

§ 9603. DUTIES AND AUTHORITY

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

\* \* \*

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

\* \* \*

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

§ 1716. CHIEF EXECUTIVE OFFICER

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

\* \* \*

(3) Report annually to the ~~legislative standing committees of jurisdiction~~ Senate Committee on Economic Development, Housing and General Affairs and the House and Senate Committees on Appropriations regarding the Home's budget. 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.

\* \* \*

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

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

\* \* \*

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

\* \* \*

(4) Report on January 15, 2015 and annually thereafter to the House and Senate Committees on Judiciary on the status of the program. 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.

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

§ 632. COMPENSATION TO DEPENDENTS; BURIAL AND FUNERAL  
EXPENSES

If death results from the injury, the employer shall pay to the persons entitled to compensation or, if there ~~is~~ are none, then to the personal representative of the deceased employee, the actual burial and funeral expenses not to exceed \$10,000.00 and the actual expenses for out-of-state transportation of the decedent to the place of burial not to exceed \$5,000.00. Every two years, the Commissioner of Labor shall evaluate the average burial and funeral expenses in the State and make a recommendation to the House

Committee on Commerce and Economic Development ~~and the Senate~~  
~~Committee on Finance~~ as to whether an adjustment in compensation is warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this section. The employer shall also pay to or for the benefit of the following persons, for the periods prescribed in section 635 of this title, a weekly compensation equal to the following percentages of the deceased employee's average weekly wages. The weekly compensation payment herein allowed shall not exceed the maximum weekly compensation or be lower than the minimum weekly compensation:

\* \* \*

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

§ 639. DEATH, PAYMENT TO DEPENDENTS

In cases of the death of a person from any cause other than the accident during the period of payments for disability or for the permanent injury, the remaining payments for disability then due or for the permanent injury shall be made to the person's dependents according to the provisions of sections 635 and 636 of this title, or if there are none, the remaining amount due, but ~~no~~ not more than the actual burial and funeral expenses not to exceed \$10,000.00 and the actual expenses for out-of-state transportation of the decedent to the place of burial not to exceed \$5,000.00, shall be paid in a lump sum to the proper person. Every two years, the Commissioner of Labor shall evaluate the average burial and funeral expenses in the State and make a recommendation

to the House Committee on Commerce and Economic Development ~~and the Senate Committee on Finance~~ as to whether an adjustment in compensation is warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this section.

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

§ 152. DUTIES OF COMMISSIONER

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

\* \* \*

(23) With the approval of the Secretary of Administration, transfer during any fiscal year to the Department of Buildings and General Services for use only for major maintenance within the Capitol Complex in Montpelier; any unexpended balances of funds appropriated in any capital construction act for any Executive or Judicial Branch project, excluding any appropriations for State grant-in-aid programs, which is completed or substantially completed as determined by the Commissioner. On or before January 15 of each year, the Commissioner shall report to the House Committee on Corrections and Institutions ~~and the Senate Committee on Institutions~~ regarding all transfers and expenditures made pursuant to this subdivision ~~(23)~~. 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.

\* \* \*

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

§ 168. STATE ENERGY MANAGEMENT PROGRAM; REVOLVING  
FUNDS

\* \* \*

(f) Beginning on or before January 15, 2015 and annually thereafter, the Department of Buildings and General Services shall report to ~~the Senate Committee on Institutions~~ and the House Committee on Corrections and Institutions on the expenditure of funds from the State Resource Management Revolving Fund for resource conservation measures and the Energy Revolving Fund for energy efficiency improvements and the use of renewable resources. For each fiscal year, the report shall include a summary of each project receiving funding and the State's expected savings. 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. 31. 32 V.S.A. § 305a is amended to read:

§ 305a. OFFICIAL STATE REVENUE ESTIMATE

\* \* \*

(c) The January estimates shall include estimated caseloads and estimated per-member per-month expenditures for the current and next succeeding fiscal years for each Medicaid enrollment group as defined by the Agency and the Joint Fiscal Office for State Health Care Assistance Programs or premium assistance programs supported by the State Health Care Resources and Global

Commitment Funds, and for the ~~Programs~~ programs under any Medicaid Section 1115 waiver. For Board consideration, there shall be provided two versions of the next succeeding fiscal year's estimated per-member per-month expenditures: one shall include an increase in Medicaid provider reimbursements in order to ensure that the expenditure estimates reflect amounts attributable to health care inflation as required by subdivisions 307(d)(5) and (d)(6) of this title and one shall be without the inflationary adjustment. For VPharm, the January estimates shall include estimated caseloads and estimated per-member per-month expenditures for the current and next succeeding fiscal years by income category. The January estimates shall include the expenditures for the current and next succeeding fiscal years for the Medicare Part D phased-down State contribution payment and for the disproportionate share hospital payments. In July, the Administration and the Joint Fiscal Office shall make a report to the Emergency Board on the most recently ended fiscal year for all Medicaid and Medicaid-related programs, including caseload and expenditure information for each Medicaid eligibility group. Based on this report, the Emergency Board may adopt revised estimates for the current fiscal year and estimates for the next succeeding fiscal year. 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. 32. 32 V.S.A. § 701a is amended to read:

§ 701a. CAPITAL CONSTRUCTION BILL

\* \* \*

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

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

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

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

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

\* \* \*

(i) The Vermont Economic Progress Council and the Department of Taxes shall make an annual report to the Senate ~~Committees~~ Committee on Economic Development, Housing and General Affairs ~~and on Finance~~ and the House Committees on Commerce and Economic Development and on Ways and Means ~~of the General Assembly~~ on or before April 1. The report shall include, in regard to each existing tax increment financing district, the date of creation, a profile of the district, a map of the district, the original taxable value, the scope and value of projected and actual improvements and developments, projected and actual incremental revenue amounts and division of the increment revenue between district debt, the Education Fund, the special account required by 24 V.S.A. § 1896 and the municipal General Fund, projected and actual financing, and a set of performance measures developed by the Vermont Economic Progress Council, which shall include the number of jobs created in the district, what sectors experienced job growth, and the amount of infrastructure work performed by Vermont firms. 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. 34. 2014 Acts and Resolves No. 179, Sec. E.308 is amended to read:

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

\* \* \*

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

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

\* \* \*

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

Sec. 35. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: May 21, 2018