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H.895

Introduced by Committee on Government Operations

Date:

Subject: Government operations; reports; reports repeal

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

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

An act relating to legislative review of certain report requirements

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

\* \* \* Report Requirements Repealed \* \* \*

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

§ 4082. VERMONT FISH AND WILDLIFE REGULATIONS

\* \* \*

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

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

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

18 \* \* \*

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

20 § 2888. VERMONT STRONG SCHOLARS INITIATIVE

21 \* \* \*

22 (b) Vermont Strong Loan Forgiveness Program.



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

3 \* \* \*

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

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

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

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

*\* \* \* 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.]~~



- 1           (3) 3 V.S.A. § 2313(b) (report on rate of performance accountability  
2           requirements in State contracts);
- 3           (4) 3 V.S.A. § 3090(e) (report on prior three years of fair hearings  
4           conducted by Human Services Board);
- 5           (5) 20 V.S.A. § 1716(11) (report on the number of employees who work  
6           at the Vermont Veterans' Home for 16 hours or fewer per week);
- 7           (6) 32 V.S.A. § 310 (report on 10-year State capital program plan);
- 8           (7) 32 V.S.A. § 3481(1)(C) (report on appraised value of owner-  
9           occupied housing that is subject to a housing subsidy covenant);
- 10           (8) 33 V.S.A. § 1702 (report on SNAP payment error rate);
- 11           (9) 2010 Acts and Resolves No. 156, Sec. E.114(a) (report on number  
12           of State employees exceeding \$14,000.00 reimbursement for mileage use on  
13           private vehicle); 2013 Acts and Resolves No. 68, Sec. 3 (on the incidences of  
14           concussions sustained by student athletes in Vermont); 2014 Acts and Resolves  
15           No. 163, Sec. 3(b) (report on number of temporary employees employed by  
16           the Department of Corrections); 2014 Acts and Resolves No. 180, Sec. 2(c)  
17           (report from Criminal Justice Training Council on incidents involving the use  
18           of an electronic control device); 2014 Acts and Resolves No. 188, Sec. 3  
19           (concerning implementation, administration, and financing by the Department  
20           of Health of the requirements of 18 V.S.A. chapter 38A); 2014 Acts and  
21           Resolves No. 195, Sec. 3(f) (report on system to evaluate goals and

1 performance of the pretrial services); 2014 Acts and Resolves No. 195,  
2 Sec. 4(b) (report on county alternative justice programs, protocols for the  
3 programs, and number served by program).

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

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

6 § 331. TEMPORARY EMPLOYEES

7 \* \* \*

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

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

15 \* \* \*

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

17 § 3090. HUMAN SERVICES BOARD

18 \* \* \*

19 (e) On or before January 15 of each year, ~~the Board shall report to the~~  
20 ~~House Committees on Appropriations, on Human Services, and~~ Committee on  
21 Health Care and the Senate Committees on Appropriations, and on Health and

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

3 \* \* \*

*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:~~*

\* \* \*

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

5 § 1716. CHIEF EXECUTIVE OFFICER

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

9 \* \* \*

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

1 ~~Committees on Appropriations, on Economic Development, Housing and~~  
2 ~~General Affairs, and on Government Operations~~ and the Senate Committee on  
3 Appropriations on the number of employees who work at the Vermont  
4 Veterans' Home for 16 hours or fewer per week.

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

6 § 3481. DEFINITIONS

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

9 (1)(A) "Appraisal value" shall mean, with respect to property enrolled  
10 in a use value appraisal program, the use value appraisal as defined in  
11 subdivision 3752(12) of this title, multiplied by the common level of appraisal,  
12 and with respect to all other property, except for owner-occupied housing  
13 identified in subdivision (C) of this subdivision (1), the estimated fair market  
14 value. The estimated fair market value of a property is the price that the  
15 property will bring in the market when offered for sale and purchased by  
16 another, taking into consideration all the elements of the availability of the  
17 property, its use both potential and prospective, any functional deficiencies,  
18 and all other elements such as age and condition ~~which~~ that combine to give  
19 property a market value. Those elements shall include the effect of any State  
20 or local law or regulation affecting the use of land, including 10 V.S.A. chapter  
21 151 or any land capability plan established in furtherance or implementation



1 which the State of Vermont receives a federal sanction for a payment error rate  
2 greater than the federal threshold in the Supplemental Nutrition Assistance  
3 Program (SNAP), the Department for Children and Families shall report to the  
4 ~~House Committees on Appropriations and on Human Services and to the~~  
5 ~~Senate Committees on Appropriations and on Health and Welfare~~ Senate  
6 Committee on Appropriations regarding:

7 \* \* \*

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

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

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

15 \* \* \*

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

17 Sec. 3. REPORT

18 To the extent permitted by applicable state and federal law, the Vermont  
19 Traumatic Brain Injury Advisory Board (the Board) shall obtain information  
20 necessary to create an annual report on the incidences of concussions sustained  
21 by student athletes in Vermont in the previous school year. To the extent such

1 information is available, the report shall include the number of concussions  
2 sustained by student athletes in Vermont, the sport the student athlete was  
3 playing when he or she sustained the concussion, the number of Vermont  
4 student athletes treated in emergency rooms for concussions received while  
5 participating in school athletics, and who made the decision that a student  
6 athlete was able to return to play. For purposes of the report, the Board shall  
7 consult with the Vermont Principals' Association and the Vermont Association  
8 of Athletic Trainers. If the Board obtains information sufficient to create the  
9 report, it shall report on or before December 15 of each year starting in 2014  
10 to the Senate and House Committees on Judiciary ~~and on Education.~~

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

12 Sec. 3. DEPARTMENT OF CORRECTIONS STAFFING STUDY

13 \* \* \*

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

19 \* \* \*

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

21 Sec. 3. REPORT TO GENERAL ASSEMBLY; CHEMICALS OF HIGH

1 CONCERN TO CHILDREN

2 On or before January 15, 2015, and biennially thereafter, the Commissioner  
3 of Health, after consultation with the Secretary of Natural Resources, shall  
4 submit to ~~the Senate Committee on Health and Welfare, the House Committee~~  
5 ~~on Human Services, the House Committee on Ways and Means, the Senate~~  
6 ~~Committee on Finance,~~ and the Senate and House Committees on  
7 Appropriations, a report concerning implementation, administration, and  
8 financing by the Department of Health of the requirements of 18 V.S.A.  
9 chapter 38A regarding the chemicals of high concern to children. The report  
10 shall include:

11 \* \* \*

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

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

15 \* \* \*

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

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\* \* \*

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

\* \* \*

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

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

10 § 540. WORKFORCE EDUCATION AND TRAINING LEADER

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

15 \* \* \*

16 (4) Issue an annual report to the Governor ~~and the General Assembly,~~  
17 the House Committees on Appropriations and on Commerce and Economic  
18 Development, and the Senate Committees on Appropriations and on Economic  
19 Development, Housing and General Affairs on or before December 1 that  
20 includes a systematic evaluation of the accomplishments of the State  
21 workforce investment system and the performance of participating agencies  
22 and institutions. The provisions of 2 V.S.A. § 20(d) (expiration of required

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

2 \* \* \*

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

4 § 1386. IMPLEMENTATION PLAN FOR THE LAKE CHAMPLAIN

5 TOTAL MAXIMUM DAILY LOAD

6 \* \* \*

7 (e) Beginning on February 1, 2016, and annually thereafter, the Secretary,  
8 after consultation with the Secretary of Agriculture, Food and Markets and the  
9 Secretary of Transportation, shall submit to the House Committee on Natural  
10 Resources, Fish, and Wildlife, ~~the Senate Committee on Natural Resources and~~  
11 ~~Energy, the House Committee on Agriculture and Forestry, and the Senate~~  
12 ~~Committee on Agriculture~~ a summary of activities and measures of progress of  
13 water quality ecosystem restoration programs. The provisions of 2 V.S.A.  
14 § 20(d) (expiration of required reports) shall not apply to the report to be made  
15 under this subsection.

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

17 § 4082. VERMONT FISH AND WILDLIFE REGULATIONS

18 \* \* \*

19 (c) The Board may set by procedure the annual number of antlerless deer  
20 that can be harvested in each Wildlife Management Unit and the annual  
21 number of moose that can be harvested in each Wildlife Management Unit

1 without following the procedures for rulemaking contained in 3 V.S.A.  
2 chapter 25. The annual numbers of antlerless deer and moose that can be  
3 harvested shall be supported by investigation and research conducted by the  
4 Department on behalf of the Board. Prior to setting the antlerless deer and  
5 moose permit numbers, the Board shall provide a period of not less than  
6 30 days of public notice and shall conduct at least three public informational  
7 hearings. The public informational hearings may be conducted simultaneously  
8 with the regional antlerless deer meetings required by 10 V.S.A. App. § 2b.  
9 The final annual antlerless deer and moose harvest permit numbers shall be  
10 enforceable by the Department under its enforcement authority in part 4 of this  
11 title. The final annual antlerless deer and moose harvest permit numbers shall  
12 be reported to the House Committee on ~~Fish, Wildlife and Water Resources~~  
13 ~~and the Senate Committee on Natural Resources and Energy~~ Natural  
14 Resources, Fish, and Wildlife as part of the annual deer report required under  
15 section 4084 of this title. The provisions of 2 V.S.A. § 20(d) (expiration of  
16 required reports) shall not apply to the report to be made under this subsection.

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

18 § 1944c. EMPLOYER CHARGES FOR FEDERAL GRANTS OR  
19 REIMBURSEMENTS

20 \* \* \*

21 (c) The State Treasurer and the Secretary of Education shall establish

1 procedures for the collection and deposit of those monies in the State  
2 Teachers' Retirement System of Vermont. The Secretary of Education may  
3 delay implementation upon review of the federal grant program to permit  
4 timely and accurate claims for reimbursement of retirement expenses under a  
5 particular federal program in order to receive funding under that program.  
6 The Secretary of Education shall provide an annual report to the ~~House and~~  
7 ~~Senate Committees~~ Senate Committee on Appropriations and the House  
8 Committee on Education regarding progress in implementation of this section.  
9 The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not  
10 apply to the report to be made under this subsection.

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

12 § 9374. BOARD MEMBERSHIP; AUTHORITY

13 \* \* \*

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

18 \* \* \*

19 (4)(A) Annually on or before September 15, the Board and the  
20 Department of Financial Regulation shall report to the House and Senate  
21 Committees on Appropriations the total amount of all expenses eligible for

1 allocation pursuant to this subsection (h) during the preceding State fiscal year  
2 and the total amount actually billed back to the regulated entities during the  
3 same period. The provisions of 2 V.S.A. § 20(d) (expiration of required  
4 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 ~~subsection (a) of this section~~ *this subsection (h)* to the Joint Fiscal  
Committee annually at its September meeting.

5 \* \* \*

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

7 § 9603. DUTIES AND AUTHORITY

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

9 \* \* \*

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

15 \* \* \*

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

17 § 1716. CHIEF EXECUTIVE OFFICER

18 The Chief Executive Officer shall be the chief administrative officer of the

1 Home and shall exercise general supervision over the business and affairs of  
2 the Home. In addition to other duties, the Chief Executive Officer shall:

3 \* \* \*

4 (3) Report annually to the ~~legislative standing committees of~~  
5 ~~jurisdiction~~ Senate Committee on Economic Development, Housing and  
6 General Affairs and the House and Senate Committees on Appropriations  
7 regarding the Home's budget. The provisions of 2 V.S.A. § 20(d) (expiration  
8 of required reports) shall not apply to the report to be made under this  
9 subdivision.

10 \* \* \*

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

12 § 2307. FIREARMS RELINQUISHED PURSUANT TO RELIEF FROM  
13 ABUSE ORDER; STORAGE; FEES; RETURN

14 \* \* \*

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

18 \* \* \*

19 (4) Report on January 15, 2015 and annually thereafter to the House and  
20 Senate Committees on Judiciary on the status of the program. The provisions  
21 of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report

1 to be made under this subdivision.

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

3 § 632. COMPENSATION TO DEPENDENTS; BURIAL AND FUNERAL  
4 EXPENSES

5 If death results from the injury, the employer shall pay to the persons  
6 entitled to compensation or, if there ~~is~~ are none, then to the personal  
7 representative of the deceased employee, the actual burial and funeral expenses  
8 not to exceed \$10,000.00 and the actual expenses for out-of-state  
9 transportation of the decedent to the place of burial not to exceed \$5,000.00.

10 Every two years, the Commissioner of Labor shall evaluate the average burial  
11 and funeral expenses in the State and make a recommendation to the House

12 Committee on Commerce and Economic Development ~~and the Senate~~

13 ~~Committee on Finance~~ as to whether an adjustment in compensation is

14 warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)

15 shall not apply to the report to be made under this section. The employer shall

16 also pay to or for the benefit of the following persons, for the periods

17 prescribed in section 635 of this title, a weekly compensation equal to the

18 following percentages of the deceased employee's average weekly wages. The

19 weekly compensation payment herein allowed shall not exceed the maximum

20 weekly compensation or be lower than the minimum weekly compensation:

21 \* \* \*

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

2 § 639. DEATH, PAYMENT TO DEPENDENTS

3 In cases of the death of a person from any cause other than the accident  
4 during the period of payments for disability or for the permanent injury, the  
5 remaining payments for disability then due or for the permanent injury shall be  
6 made to the person's dependents according to the provisions of sections 635  
7 and 636 of this title, or if there are none, the remaining amount due, but ~~no~~ not  
8 more than the actual burial and funeral expenses not to exceed \$10,000.00 and  
9 the actual expenses for out-of-state transportation of the decedent to the place  
10 of burial not to exceed \$5,000.00, shall be paid in a lump sum to the proper  
11 person. Every two years, the Commissioner of Labor shall evaluate the  
12 average burial and funeral expenses in the State and make a recommendation  
13 to the House Committee on Commerce and Economic Development ~~and the~~  
14 ~~Senate Committee on Finance~~ as to whether an adjustment in compensation is  
15 warranted. The provisions of 2 V.S.A. § 20(d) (expiration of required reports)  
16 shall not apply to the report to be made under this section.

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

18 § 152. DUTIES OF COMMISSIONER

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

21 \* \* \*



1 Revolving Fund for resource conservation measures and the Energy Revolving  
2 Fund for energy efficiency improvements and the use of renewable resources.  
3 For each fiscal year, the report shall include a summary of each project  
4 receiving funding and the State's expected savings. The provisions of 2 V.S.A.  
5 § 20(d) (expiration of required reports) shall not apply to the report to be made  
6 under this subsection.

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

8 § 305a. OFFICIAL STATE REVENUE ESTIMATE

9 \* \* \*

10 (c) The January estimates shall include estimated caseloads and estimated  
11 per-member per-month expenditures for the current and next succeeding fiscal  
12 years for each Medicaid enrollment group as defined by the Agency and the  
13 Joint Fiscal Office for State Health Care Assistance Programs or premium  
14 assistance programs supported by the State Health Care Resources and Global  
15 Commitment Funds, and for the ~~Programs~~ programs under any Medicaid  
16 Section 1115 waiver. For Board consideration, there shall be provided two  
17 versions of the next succeeding fiscal year's estimated per-member per-month  
18 expenditures: one shall include an increase in Medicaid provider  
19 reimbursements in order to ensure that the expenditure estimates reflect  
20 amounts attributable to health care inflation as required by subdivisions  
21 307(d)(5) and (d)(6) of this title and one shall be without the inflationary

1 adjustment. For VPharm, the January estimates shall include estimated  
2 caseloads and estimated per-member per-month expenditures for the current  
3 and next succeeding fiscal years by income category. The January estimates  
4 shall include the expenditures for the current and next succeeding fiscal years  
5 for the Medicare Part D phased-down State contribution payment and for the  
6 disproportionate share hospital payments. In July, the Administration and the  
7 Joint Fiscal Office shall make a report to the Emergency Board on the most  
8 recently ended fiscal year for all Medicaid and Medicaid-related programs,  
9 including caseload and expenditure information for each Medicaid eligibility  
10 group. Based on this report, the Emergency Board may adopt revised  
11 estimates for the current fiscal year and estimates for the next succeeding fiscal  
12 year. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall  
13 not apply to the report to be made under this subsection.

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

15 § 701a. CAPITAL CONSTRUCTION BILL

16 \* \* \*

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

1 future capital construction acts.

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

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

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

12 § 5404a. TAX STABILIZATION AGREEMENTS; TAX INCREMENT  
13 FINANCING DISTRICTS

14 \* \* \*

15 (i) The Vermont Economic Progress Council and the Department of Taxes  
16 shall make an annual report to the Senate ~~Committees~~ Committee on  
17 Economic Development, Housing and General Affairs ~~and on Finance~~ and the  
18 House Committees on Commerce and Economic Development and on Ways  
19 and Means ~~of the General Assembly~~ on or before April 1. The report shall  
20 include, in regard to each existing tax increment financing district, the date of  
21 creation, a profile of the district, a map of the district, the original taxable

1 value, the scope and value of projected and actual improvements and  
2 developments, projected and actual incremental revenue amounts and division  
3 of the increment revenue between district debt, the Education Fund, the special  
4 account required by 24 V.S.A. § 1896 and the municipal General Fund,  
5 projected and actual financing, and a set of performance measures developed  
6 by the Vermont Economic Progress Council, which shall include the number  
7 of jobs created in the district, what sectors experienced job growth, and the  
8 amount of infrastructure work performed by Vermont firms. The provisions of  
9 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to  
10 be made under this subsection.

11 \* \* \*

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

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

15 \* \* \*

16 (c) The Department, in collaboration with Choices for Care participants,  
17 participants' families, and long-term care providers, shall conduct an annual  
18 assessment of the adequacy of the provider system for delivery of home- and  
19 community-based services and nursing home services. On or before October 1  
20 of each year, the Department of Disabilities, Aging, and Independent Living  
21 shall report the results of this assessment to the House Committees on

1 Appropriations and on Human Services ~~and the Senate Committees on~~  
2 ~~Appropriations and on Health and Welfare~~ in order to inform the reinvestment  
3 of savings during the budget adjustment process. The provisions of 2 V.S.A.  
4 § 20(d) (expiration of required reports) shall not apply to the report to be made  
5 under this subsection.

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

11 \* \* \*

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

13 Sec. 35. EFFECTIVE DATE

14 This act shall take effect on passage.