

State Maintenance-of-Effort Submission
under the
Education Jobs Fund Program



U.S. Department of Education
Washington, D.C. 20202

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MOE Method 2 Source Documentation

For the FY 2010 baseline data, a State must provide documentation substantiating –

- The State's final appropriations or expenditures for elementary and secondary education and for public IHEs. Such documentation may include tables or text from official State budget documents (*e.g.*, a State budget summary or table of expenditures from the State's accounting system); and
- Final total State revenues for the baseline year. These data would include both general and special revenues from sources such as personal income taxes, corporate income taxes, and sales and use taxes.

Some States have revenues that are dedicated to particular activities and are not available to the State to support elementary, secondary, or postsecondary education. A State may, if it chooses, exclude from its total revenues those dedicated revenues that are unavailable to support elementary, secondary, or postsecondary education provided that, subsequent to August 10, 2010 (the date of enactment of the Ed Jobs statute), the State has not increased the basis on which the dedicated revenues are derived. For example, if a State has revenues from gasoline taxes that are available only for transportation projects, the State may exclude all such revenues from total State revenues if the State that has not increased its gasoline taxes since August 10, 2010. If a State chooses to exclude dedicated revenues, it must do so for both FYs 2011 and 2010. Furthermore, as part of its application, the State must identify the source and amounts of any dedicated revenues excluded.

For the projected FY 2011 data, a State must provide –

- Enacted or estimated appropriations to establish levels of support for education. Such documentation may include a Governor's budget proposal or proposed or enacted legislative appropriations; and
- The most recent State revenue estimates.

Following the close of State FY 2011, the Department will be collecting final appropriations or expenditure data for that fiscal year to verify that the State met the statutory MOE requirements.

**State Maintenance-of-Effort (MOE) Submission
under the Education Jobs Fund Program**

STATE: VERMONT

**MOE Method 3: Comparing Fiscal Year 2011 Dollar Levels of Support with
Fiscal Year 2006 Levels**

NOTE: This method is available only to States with State tax collections for calendar year 2009 that are less than State tax collections for calendar year 2006.

For State fiscal year (FY) 2011, the State will maintain State support for elementary and secondary education (*in the aggregate*) at not less than the level of such support for State FY 2006; and

For State FY 2011, the State will maintain State support for public institutions of higher education (IHEs) (not including support for capital projects or for research and development or tuition and fees paid by students) at not less than the level of such support for State FY 2006.

State Tax Collections Data

\$ 2,341,637,000 State tax collections for calendar year 2006.

\$ 2,334,312,000 State tax collections for calendar year 2009.

FY 2006 Baseline Data

\$ 962,976,995 The level of State support for elementary and secondary education (*in the aggregate*) for FY 2006.

\$ 62,802,571 The level of State support for public IHEs for FY 2006.

Projected FY 2011 Data

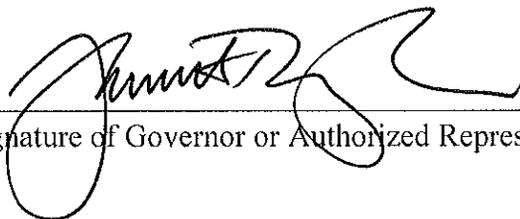
\$ 1,092,136,241 The projected level of State support for elementary and secondary education (*in the aggregate*) for FY 2011.

\$ 69,280,867 The projected level of State support for public IHEs for FY 2011.

Affirmation of MOE Data

To the best of my knowledge and belief, all of the data in this submission are true and correct and are substantiated by the accompanying documentation.

JAMES H. DOUGLAS
Governor or Authorized Representative (Printed Name)


Signature of Governor or Authorized Representative

9/10/10
Date

TABLE 3: STATE TAX COLLECTIONS BY STATE AND TYPE OF TAX
(thousands of dollars)

| Year: 2009 | | 2009 | 2006 | 2009-2006 |
|--|-----|-----------|-----------|-----------|
| Revision: 4 | | Total | Total | Total |
| | | Vermont | Vermont | Vermont |
| Total Taxes | | 2,334,312 | 2,341,637 | -7,325 |
| Property tax | T01 | 909,969 | 844,323 | 65,646 |
| General sales and gross receipts | T09 | 311,160 | 337,282 | -26,122 |
| Motor fuel sales taxes | T13 | 84,195 | 86,168 | -1,973 |
| Alcoholic beverages | T10 | 20,354 | 18,898 | 1,456 |
| Public utilities | T15 | 12,240 | 11,355 | 885 |
| Insurance | T12 | 56,219 | 55,015 | 1,204 |
| Tobacco products | T16 | 65,081 | 57,748 | 7,333 |
| Pari-mutuels | T14 | X | X | X |
| Amusements | T11 | X | X | X |
| Other selective sales and gross receipts | T19 | 148,163 | 164,908 | -16,745 |
| Alcoholic beverages | T20 | 371 | 425 | -54 |
| Public utilities | T27 | X | X | X |
| Motor vehicles | T24 | 65,759 | 58,097 | 7,662 |
| Motor vehicle operator | T25 | 6,613 | 6,660 | -47 |
| Corporations in general | T22 | 2,063 | 2,092 | -29 |
| Hunting and fishing licenses | T23 | 6,509 | 5,118 | 1,391 |
| Amusements | T21 | 40 | 32 | 8 |
| Occupation and business licenses | T28 | 13,116 | 12,089 | 1,027 |
| Other licenses taxes | T29 | 4,355 | 3,781 | 574 |
| Individual income taxes | T40 | 500,879 | 551,831 | -50,952 |
| Corporation net income taxes | T41 | 87,802 | 85,758 | 2,044 |
| Death and gift taxes | T50 | 27,277 | 17,032 | 10,245 |
| Severance taxes | T53 | X | X | X |
| Documentary and stock transfer taxes | T51 | 7,828 | 18,980 | -11,152 |
| Other miscellaneous taxes | T99 | 4,319 | 4,045 | 274 |

*The current quarter amount was not available. The figures shown represent an estimate.

Note: X = No such tax for that state

http://www.census.gov/govs/qtax/table_3.php

Education fund 108,600,000
 Total 118,966,276

Sec. 173a. Sec. 187 of No. 122 of the Acts of 2004, as amended by Sec. 58 of No. 6 of the Acts of 2005, is further amended to read:

Sec. 187. Tax department – property tax assistance

| | | |
|---------------------|-----------------------|-------------------|
| Grants | 98,811,600 | 104,511,600 |
| Source of funds | | |
| General fund | 5,280,000 | 8,680,000 |
| Transportation fund | 3,520,000 | 3,520,000 |
| Education fund | 90,011,600 | <u>92,311,600</u> |
| Total | 98,811,600 | 104,511,600 |

Sec. 174. Total general education and property tax assistance 1,696,950,426

Source of funds

| | |
|----------------------------|-------------------|
| General fund | 304,750,342 |
| Transportation fund | 2,903,066 |
| Education fund | 1,240,167,487 |
| Special funds | 1,202,885 |
| Tobacco fund | 984,007 |
| Federal funds | 115,413,832 |
| Pension trust fund | 17,903,869 |
| Interdepartmental transfer | <u>13,624,938</u> |
| Total | 1,696,950,426 |

Sec. 175. University of Vermont Grants 39,271,166

Source of funds
 General fund 39,271,166

(a) The commissioner of finance and management shall issue warrants to pay one-twelfth of the appropriation to the University of Vermont on or about the 15th of each calendar month of the year.

(b) Of the above appropriation, \$367,965 shall be transferred to EPSCoR for the purpose of complying with state matching fund requirements necessary for the receipt of available federal or private funds, or both.

Sec. 176. University of Vermont - Morgan horse farm Grants 5,000

Source of funds
 General fund 5,000

Sec. 177. Vermont public television Grants 573,832

Source of funds
 General fund 573,832

Sec. 178. Vermont state colleges

NO. 71.

| | |
|-----------------|------------|
| Grants | 22,532,878 |
| Source of funds | |
| General fund | 22,532,878 |

(a) The commissioner of finance and management shall issue warrants to pay one-twelfth of the appropriation to the Vermont state colleges on or about the 15th of each calendar month of the year.

(b) Of the above appropriation, \$100,000 shall be reserved for use as the state's fiscal year 2006 contribution toward the growth of the endowment fund for the Vermont state colleges. The state's funds are to serve as a challenge match to enhance the state colleges' ability to secure endowment contributions from alumni and other interested parties. The intent is that the fiscal year 2006 appropriation will be the last of five annual appropriations, totaling \$500,000. The conditions of this challenge match are that the state colleges are required to raise three dollars for each dollar appropriated by the state. A method for accounting for the state colleges' share has been agreed to between the state colleges and the commissioner of finance and management. Transfers to the state colleges' endowment fund shall be under the condition that only the interest accruing to the fund will be available for purposes as designated by the board of trustees of the state colleges. By June 30, 2007, any remaining state appropriations designated for the state colleges' endowment fund that have not been matched by the state colleges shall revert to the general fund. The funds appropriated for this purpose shall be retained by the state.

(c) Of the above appropriation, \$414,950 shall be transferred to the Vermont manufacturing extension center for the purpose of complying with the state matching fund requirements necessary for the receipt of available federal or private funds, or both.

(d) The balance held by the treasurer in the Vermont state college bond fund (#21010) in the principal amount of \$723,850 shall be transferred to the Vermont state colleges for the purposes of a reserve for future debt service.

Sec. 178a. VERMONT STATE COLLEGES; COLLECTIVE BARGAINING AGREEMENT

(a) With the exception of the early retirement provisions referenced in the decision of the Vermont labor relations board, 28 VLRB 28, the last best offer of the administration of the Vermont state colleges, as recommended by the VLRB to the general assembly, is approved, pursuant to the provisions of 3 V.S.A. § 925(i), and it shall be the collective bargaining agreement between the Vermont state colleges and the Vermont state colleges faculty federation, AFT Local #3180. The early retirement provisions shall be determined in accordance with subsection (b) of this section.

(b) The parties to the collective bargaining agreement are directed to recommence negotiation of provisions regarding the early retirement program and if agreement is not reached and ratified by September 30, 2005, then the provisions shall be submitted for final and binding resolution to a neutral arbitrator selected in accordance with the proce-

tures of and through the American Arbitration Association. Until such time as any new early retirement provisions are determined pursuant to this subsection, provisions of the current early retirement program shall continue in effect.

(c) 3 V.S.A. § 925(i) is amended to read:

(i) If the dispute remains unresolved 15 days after transmittal of findings and recommendations, each party shall submit as a single package its last best offer on all disputed issues to the board. Each party's last best offer shall be certified as such to the board by the fact-finding panel. The board may hold hearings as it deems appropriate. Within 30 days of the certifications it shall select between the last best offers of the parties, considered in their entirety without amendment. In the case of the state of Vermont ~~or the Vermont state colleges~~ the board shall recommend its choice to the general assembly as the bargaining agreement which shall become effective subject to appropriations by the general assembly. The board shall determine the cost of the package selected and request the appropriation necessary to fund the recommendation. In the case of the University of Vermont or the Vermont State Colleges, the decision of the board shall be final and binding on each party. Nothing herein precludes the general assembly from enacting laws amending provisions of any collective bargaining agreement involving the state of Vermont ~~or the Vermont state colleges~~ arrived at under this section.

(d) Subsections (a) and (b) of this section shall be effective on passage. Subsection (c) of this section shall take effect July 1, 2005. The provisions of subsection (c), amending 3 V.S.A. § 925(i), shall not affect the contract negotiations referenced in subsection (a) which shall be final and binding under the procedures of subsection (b).

| | |
|--|------------|
| Sec. 179. Vermont state colleges - allied health | 993,527 |
| Grants | |
| Source of funds | 993,527 |
| General fund | |
| Sec. 180. Vermont interactive television | 815,331 |
| Grants | |
| Source of funds | 815,331 |
| General fund | |
| Sec. 181. Vermont student assistance corporation | 17,771,050 |
| Grants | |
| Source of funds | 17,771,050 |
| General fund | |

- (a) Of the above appropriation, \$25,000 shall be deposited into the trust fund established in 16 V.S.A. § 2845.
- (b) Except as provided in subsection (a) of this section, not less than 100 percent of grants shall be used for direct student aid.
- (c) The balance held by the treasurer in fund #21385, approximately \$62,552, from the amount appropriated in No. 38 of the Acts of 1964 and from such other amounts as may have been appropriated, earned, or otherwise deposited in that account from time to time

| | |
|---|--------------------|
| Sec. B.513 Appropriation and transfer to education fund | |
| Grants | <u>240,803,945</u> |
| Total | 240,803,945 |
| Source of funds | |
| General fund | <u>240,803,945</u> |
| Total | 240,803,945 |
| Sec. B.514 State teachers' retirement system | |
| Personal services | 7,269,278 |
| Operating expenses | 20,964,109 |
| Grants | <u>46,913,381</u> |
| Total | 75,146,768 |
| Source of funds | |
| General fund | 46,913,381 |
| Pension trust funds | <u>28,233,387</u> |
| Total | 75,146,768 |
| Sec. B.515 Total general education | 1,861,916,435 |
| Source of funds | |
| General fund | 296,413,882 |
| Education fund | 1,305,442,881 |
| Special funds | 15,739,988 |
| Tobacco fund | 988,917 |
| Global Commitment fund | 1,053,092 |
| Federal funds | 128,720,522 |
| ARRA funds | 46,719,169 |
| Pension trust funds | 28,233,387 |
| Interdepartmental transfers | 29,561 |
| ARRA interdepartmental transfer | <u>38,575,036</u> |
| Total | 1,861,916,435 |
| Sec. B.600 University of Vermont | |
| Grants | <u>40,746,633</u> |

| | |
|---|-------------------|
| Total | 40,746,633 |
| Source of funds | |
| General fund | 36,740,477 |
| Global Commitment fund | <u>4,006,156</u> |
| Total | 40,746,633 |
| Sec. B.601 Vermont Public Television | |
| Grants | <u>547,683</u> |
| Total | 547,683 |
| Source of funds | |
| General fund | <u>547,683</u> |
| Total | 547,683 |
| Sec. B.602 Vermont state colleges | |
| Grants | <u>23,107,247</u> |
| Total | 23,107,247 |
| Source of funds | |
| General fund | <u>23,107,247</u> |
| Total | 23,107,247 |
| Sec. B.603 Vermont state colleges - allied health | |
| Grants | <u>1,116,503</u> |
| Total | 1,116,503 |
| Source of funds | |
| General fund | 711,096 |
| Global Commitment fund | <u>405,407</u> |
| Total | 1,116,503 |
| Sec. B.604 Vermont interactive television | |
| Grants | <u>785,679</u> |
| Total | 785,679 |
| Source of funds | |
| General fund | <u>785,679</u> |
| Total | 785,679 |

| | |
|---|-------------------|
| Sec. B.605 Vermont student assistance corporation | |
| Grants | <u>18,363,607</u> |
| Total | 18,363,607 |
| Source of funds | |
| General fund | <u>18,363,607</u> |
| Total | 18,363,607 |
| Sec. B.606 New England higher education compact | |
| Grants | <u>84,000</u> |
| Total | 84,000 |
| Source of funds | |
| General fund | <u>84,000</u> |
| Total | 84,000 |
| Sec. B.607 University of Vermont - Morgan Horse Farm | |
| Grants | <u>1</u> |
| Total | 1 |
| Source of funds | |
| General fund | <u>1</u> |
| Total | 1 |
| Sec. B.608 Total higher education | 84,751,353 |
| Source of funds | |
| General fund | 80,339,790 |
| Global Commitment fund | <u>4,411,563</u> |
| Total | 84,751,353 |
| Sec. B.700 Natural resources - agency of natural resources - administration | |
| Personal services | 3,496,740 |
| Operating expenses | 1,107,048 |
| Grants | <u>70,510</u> |
| Total | 4,674,298 |
| Source of funds | |
| General fund | 4,269,265 |

(b) In fiscal year 2011, the secretary of administration is authorized to reduce the following amounts from appropriations for savings associated with the consolidation of servers and other information technology changes.

| | |
|---------------------|--------------------|
| <u>General fund</u> | <u>\$1,636,574</u> |
|---------------------|--------------------|

Sec. B.1102 FISCAL YEAR 2011 CONTRACT IMPLEMENTATION

(a) There is appropriated to the secretary of administration for contract nonsalary items, to be transferred to departments as the secretary may determine to be necessary:

| | |
|---------------------|------------------|
| <u>General fund</u> | <u>\$556,500</u> |
|---------------------|------------------|

Sec. B.1103 FISCAL YEAR 2011 ONE-TIME APPROPRIATIONS

(a) In fiscal year 2011, the following amounts are appropriated:

(1) To the secretary of administration for the 27th payday in fiscal year 2011, to be transferred to departments as the secretary may determine to be necessary:

| | |
|---------------------|--------------------|
| <u>General fund</u> | <u>\$9,485,885</u> |
|---------------------|--------------------|

| | |
|----------------------------|--------------------|
| <u>Transportation fund</u> | <u>\$2,288,340</u> |
|----------------------------|--------------------|

(2) To the department of finance and management, for the governor's transition. These funds are for costs incurred by the transitions of the executive office. No funds shall be used for inaugural celebrations. Any unexpended portion of these funds shall revert to the general fund:

| | |
|---------------------|-----------------|
| <u>General fund</u> | <u>\$75,000</u> |
|---------------------|-----------------|

(3) To the secretary of state for the 2010 elections:

| | |
|---------------------|------------------|
| <u>General fund</u> | <u>\$610,000</u> |
|---------------------|------------------|

(4) To the agency of commerce and community development for communities to utilize the sales tax reallocation in fiscal year 2011 pursuant to Sec. 54 of H.783 of 2010:

| | |
|---------------------|------------------|
| <u>General fund</u> | <u>\$600,000</u> |
|---------------------|------------------|

(5) To the department of environmental conservation for transition of the geological survey program to the University of Vermont:

| | |
|---------------------|------------------|
| <u>General fund</u> | <u>\$125,000</u> |
|---------------------|------------------|

(6) To the military department, division of veterans' affairs for Supplemental Assistance to Survivors (DeptID 2150890501) to be used in accordance with the guidelines as set forth in Sec. 72b of No. 66 of the Acts of 2003, as amended by Sec. 16 of No. 80 and Sec. 72 of No. 122 of the Acts of the 2003 Adj. Sess. (2004):

| | |
|---------------------|-----------------|
| <u>General fund</u> | <u>\$30,000</u> |
|---------------------|-----------------|

(7) To the department of finance and management for ARRA audits:

| | | |
|--|---------------------|---------------------|
| | <u>General fund</u> | <u>\$351,000</u> |
| (8) To the University of Vermont: | <u>General fund</u> | <u>\$2,587,646</u> |
| (9) To the Vermont State Colleges: | <u>General fund</u> | <u>\$1,722,837</u> |
| (10) To the Vermont Student Assistance Corporation: | | |
| | <u>General fund</u> | <u>\$1,244,995</u> |
| (11) To the department of health to be allocated by the tobacco evaluation and review board: | <u>General fund</u> | <u>\$1,200,000</u> |
| (12) To the department of tourism and marketing for a grant to the Shires of Vermont: | <u>General fund</u> | <u>\$20,000</u> |
| (13) To the department of mental health for a grant to the Howard center for mental health services provided to Vermont National Guard personnel and their families: | <u>General fund</u> | <u>\$100,000</u> |
| (14) To the secretary of state for initial costs associated with reapportionment; it is anticipated that in fiscal year 2012 additional costs will be incurred: | <u>General fund</u> | <u>\$30,000</u> |
| (15) To the department of Vermont health access for a grant to Porter Hospital for costs incurred related to closure of the Crown Point Lake Champlain Bridge: | <u>General fund</u> | <u>\$40,000</u> |
| (16) To the agency of commerce and community development for a grant to the Bennington County industrial corporation for expansion of the composites industry cluster: | <u>General fund</u> | <u>\$25,000</u> |
| (b) In fiscal year 2011, the following amount is appropriated to the secretary of administration (DeptID 1100020000) from the American Recovery and Reinvestment Act: State Fiscal Stabilization Fund to be transferred and expended in Sec. B.505 – adjusted education payment: | | <u>\$38,575,036</u> |

Sec. C.100 Sec. B.309 of No. 1 of the Acts of the 2009 Special Session as amended by Sec. 21 of No. 67 of the Acts of the 2009 Adj. Sess. (2010) is further amended to read:

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

| | | |
|-----------------|-------------------|-------------------|
| Grants | <u>34,701,782</u> | <u>24,801,782</u> |
| Total | <u>34,701,782</u> | <u>24,801,782</u> |
| Source of funds | | |
| General fund | <u>26,015,203</u> | <u>16,115,203</u> |

MOE Method 3 Source Documentation

To document State tax collections for calendar years 2006 and 2009, a State may use the sum of the State quarterly tax collections data from the U.S. Census Bureau (Census), which are available at http://www.census.gov/govs/ntax/table_3.php. A State may provide revised State tax collection data if it has available more recent auditable data that differs from the information that was reported to Census. A State may, if it chooses, exclude from State tax collections those tax revenues that may not be used to provide support for elementary, secondary, or postsecondary education. For example, a State may exclude gasoline taxes that generate revenue that is available to support only transportation projects. If a State chooses to exclude dedicated taxes, it must do so for both calendar years 2006 and 2009. Furthermore, as part of its application, the State must identify the taxes excluded and the amounts of the State tax collections under such taxes.

For the FY 2006 baseline data, a State must provide documentation substantiating the State's final appropriations or expenditures for elementary and secondary education and for public IHEs. Such documentation may include tables or text from official State budget documents (e.g., a State budget summary or table of expenditures from the State's accounting system).

For the projected FY 2011 data, a State must provide enacted or estimated appropriations levels. Such documentation may include a Governor's budget proposal, legislative budget proposals, or enacted appropriations.

Following the close of State FY 2011, the Department will be collecting final appropriations or expenditure data for that fiscal year to verify that the State met the statutory MOE requirements.