

No. 161. An act relating to capital construction and state bonding.

(H.790)

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

* * * Capital Appropriations * * *

Sec. 1. STATE BUILDINGS

The following sums are appropriated in total to the department of buildings and general services, and the commissioner is authorized to direct funds appropriated in this section to the projects contained in this section; however, no project shall be canceled unless the chairs of the senate committee on institutions and the house committee on corrections and institutions are notified before that action is taken. The individual allocations in this section are estimates only.

<u>(1) Statewide, asbestos and lead abatement:</u>	<u>300,000</u>
<u>(2) Statewide, Americans with Disabilities Act (ADA):</u>	<u>100,000</u>
<u>(3) Statewide, building reuse and planning:</u>	<u>125,000</u>
<u>(4) Statewide, contingency:</u>	<u>500,000</u>
<u>(5) Statewide elevator repairs and upgrades:</u>	<u>350,000</u>
<u>(6) Statewide, major maintenance. Of this amount, up to 400,000 may be expended for window replacement at the Waterbury complex:</u>	<u>8,025,579</u>
<u>(7) Statewide, major maintenance, VT information centers:</u>	<u>100,000</u>

<u>(8) Statewide: BGS engineering and architectural</u>	
<u>project costs:</u>	<u>2,465,785</u>
<u>(9) Statewide physical security enhancements:</u>	<u>100,000</u>
<u>(10) Montpelier, 116 State St., restore building envelope:</u>	<u>750,000</u>
<u>(11) Montpelier, 133 State St., infrastructure repair:</u>	<u>1,250,000</u>
<u>(12) Montpelier, 120 State St., replace heating system</u>	<u>750,000</u>
<u>(13) Waterbury, steamline extension:</u>	<u>700,000</u>
<u>(14) Waterbury, state office complex fire alarm panels and</u>	
<u>door holders:</u>	<u>250,000</u>
<u>(15) Springfield, state office building, HVAC upgrade:</u>	<u>500,000</u>
<u>(16) Bennington, courthouse and state office building:</u>	<u>6,958,340</u>
<u>(17) Burlington, 32 Cherry St., HVAC upgrades:</u>	<u>500,000</u>
<u>(18) Burlington, 108 Cherry St., HVAC upgrades. The commissioner</u>	
<u>may reallocate funds between this subdivision and subdivision (17) of this</u>	
<u>section as the commissioner finds to be in the best interests of the</u>	
<u>state:</u>	<u>500,000</u>
<u>(19) Bennington, state office building, geothermal energy</u>	
<u>project:</u>	<u>2,000,000</u>
<u>(20) Montpelier, for the secretary of state, for renovations and code</u>	
<u>compliance at 128 State Street, including the third floor, and necessary fit-up at</u>	
<u>14/16 Baldwin St:</u>	<u>300,000</u>

(21) Montpelier, state house, renovate and refurnish up to three house committee rooms, chosen by the speaker of the house, as the first step in making better use of existing space. By January 1, 2011, the joint rules committee shall consider restoring the Ethan Allen room to public use:

100,000

(22) For Burlington International Airport to continue the process of planning and designing a new aviation technical training center:

150,000

Total Appropriation – Section 1

\$26,774,704

Sec. 2. ADMINISTRATION; VERMONT TELECOMMUNICATIONS

AUTHORITY; VERMONT CENTER FOR GEOGRAPHIC

INFORMATION

(a) The sum of \$100,000 is appropriated to the department of taxes for the Vermont Center for Geographic Information for an ongoing project to update statewide quadrangle maps through digital orthophotographic quadrangle mapping.

(b) The sum of \$4,500,000 is appropriated to the Vermont telecommunications authority (VTA) to build infrastructure to meet the cellular and broadband needs of unserved Vermonters. To the extent possible, the VTA shall use the funds to leverage drawdown of ARRA funds and to build infrastructure that can be used as a revenue stream to enable use of up to \$40,000,000 in moral obligation bonding allocated to the VTA. These funds

shall be spent in accordance with the provisions of 30 V.S.A. § 8079 and Sec. 4 of No. 78 of the Acts of the 2009 Adj. Sess. (2010) as amended by this act.

(c) The sum of \$1,456,280 is appropriated to the department of information and innovation for Vermont integrated eligibility work flow system (VIEWS).

<u>Total Appropriation – Section 2</u>	<u>\$6,056,280</u>
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Sec. 3. HUMAN SERVICES

The following sums are appropriated in total to the department of buildings and general services for the agency of human services for the projects described in this section.

<u>(1) Health laboratory design. Site acquisition, permitting, and construction documents for co-location of the department of health laboratory with the UVM Colchester research facility:</u>	<u>4,700,000</u>
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<u>(2) Vermont state hospital, ongoing safety renovations:</u>	<u>100,000</u>
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<u>(3) Corrections, continuation of suicide abatement project:</u>	<u>100,000</u>
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<u>(4) Corrections, security upgrades:</u>	<u>200,000</u>
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<u>(5) Corrections, grease trap for the Chittenden regional correctional facility:</u>	<u>335,000</u>
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<u>Total Appropriation – Section 3</u>	<u>\$5,435,000</u>
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Sec. 4. JUDICIARY

The sum of \$200,000 is appropriated to the department of buildings and general services to design the replacement of the electric boiler and HVAC system, including an upgrade to a renewable energy system, and to reconfigure office space in the Barre district court and office building.

Total Appropriation – Section 4 \$200,000

Sec. 5. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in total to the department of buildings and general services for the agency of commerce and community development for the following projects:

(1) Major maintenance at historic sites statewide; provided such maintenance shall be under the supervision of the department of buildings and general services: 250,000

(2) Plymouth Visitors' Center, exhibits and furnishings: 250,000

(b) The following sums are appropriated in total to the agency of commerce and community development for the following projects:

(1) Underwater preserves: 50,000

(2) Placement and replacement of roadside historic site markers: 15,000

Total Appropriation – Section 5 \$565,000

Sec. 6. BUILDING COMMUNITIES GRANTS

The following sums are appropriated for building communities grants established in chapter 137 of Title 24:

(1) To the agency of commerce and community development, division for historic preservation, for the historic preservation grant program: 180,000

(2) To the agency of commerce and community development, division for historic preservation, for the historic barns preservation grant program: 180,000

(3) To the Vermont council on the arts for the cultural facilities grant program: 180,000

(4) To the department of buildings and general services for the recreational facilities grant program: 180,000

(5) To the department of buildings and general services for the human services and educational facilities competitive grant program: 180,000

(6) For the agricultural fairs capital projects competitive grant program. No single entity shall be awarded more than ten percent of this

appropriation: 180,000

Total Appropriation – Section 6 \$1,080,000

Sec. 7. EDUCATION

The following is appropriated in total to the department of education for:

(1) <u>State aid for emergency school construction projects pursuant to 16 V.S.A. § 3448(a)(3)(A):</u>	<u>600,000</u>
(2) <u>Emergency shelters in schools:</u>	<u>44,889</u>
(3) <u>Remaining state aid for school construction projects pursuant to 16 V.S.A. § 3448 which were prioritized for funding by the state board of education for fiscal year 2011, excluding asset renewal projects and alternate energy projects under 16 V.S.A. § 3448(a)(7)(B). Each project shall receive an equal percentage of the amount owed by the state:</u>	<u>6,355,111</u>
<u>Total Appropriation – Section 7</u>	<u>\$7,000,000</u>

Sec. 8. AUSTINE SCHOOL

The sum of \$540,104 is appropriated to the department of buildings and general services for the renovation of Holton Hall at the Austine School.

<u>Total Appropriation – Section 8</u>	<u>\$540,104</u>
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Sec. 9. UNIVERSITY OF VERMONT

The sum of \$2,000,000 is appropriated to the University of Vermont for construction, renovation, and maintenance.

<u>Total Appropriation – Section 9</u>	<u>\$2,000,000</u>
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Sec. 10. VERMONT STATE COLLEGES

The sum of \$2,000,000 is appropriated to the Vermont State Colleges for major facility maintenance.

Total Appropriation – Section 10 \$2,000,000

Sec. 11. VERMONT INTERACTIVE TELEVISION

The sum of \$290,085 is appropriated to Vermont Interactive Television to purchase equipment, including video upgrades and monitor replacement.

Total Appropriation – Section 11 \$290,085

Sec. 12. NATURAL RESOURCES

(a) The following is appropriated in total to the agency of natural resources for water pollution control projects:

(1) For grants to municipalities pursuant to chapter 55 of Title 10 (aid to municipalities for water supply, pollution abatement, and sewer separations) and chapter 120 of Title 24 (special environmental revolving fund), the Springfield loan conversion, and administrative support under chapter 120 of Title 24. Of this amount and the amount in subdivision (2) of this subsection, up to \$50,000 may be used to provide municipalities with grants or loans for a study of the feasibility and planning of site-appropriate potable water supply and wastewater systems, including innovative decentralized systems, for historic village and existing settled areas. Systems shall be designed to comply with the adopted municipal plan. The agency of natural resources shall have

the discretion to determine eligibility for and amounts of funds provided to municipalities for feasibility studies and planning, and shall report to the senate committees on institutions and on natural resources and energy, and the house committees on corrections and institutions and on fish, wildlife and water resources on or before January 15, 2011, regarding how the municipal grant program is working, the demand for the grants, what projects were funded, and anticipated future construction costs of those projects:

	<u>2,375,400</u>
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(2) For combined sewer overflow projects receiving ARRA funding:

<u>(A) Burlington, Gazo Avenue:</u>	<u>100,000</u>
<u>(B) Burlington, Manhattan Drive:</u>	<u>200,000</u>
<u>(C) Middlebury, pump station work:</u>	<u>450,000</u>
<u>(D) Montpelier, several areas of the city:</u>	<u>138,500</u>
<u>(E) Proctor sewer system rehabilitation:</u>	<u>32,500</u>
<u>(F) Springfield, several areas:</u>	<u>374,000</u>

(3) Interest on short-term borrowing associated with delayed grant funding for the Pownal project:

	<u>85,000</u>
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(b) The following sum is appropriated to the agency of natural resources for the drinking water state revolving fund. Of this amount, up to \$50,000 may be used to provide municipalities with grants or loans for a study of the feasibility and planning of site-appropriate potable water supply and wastewater systems, including innovative decentralized systems, for historic

village and existing settled areas. Systems shall be designed to comply with the adopted municipal plan. The agency of natural resources shall have the discretion to determine eligibility for and amounts of funds provided to municipalities for feasibility studies and planning, and shall report to the senate committees on institutions and on natural resources and energy, and the house committees on corrections and institutions and on fish, wildlife and water resources on or before January 15, 2011, regarding how the municipal grant program is working, the demand for the grants, what projects were funded, and anticipated future construction costs of those projects: 2,175,660

(c) The following sum is appropriated to the agency of natural resources for the clean and clear program for ecosystem restoration and protection. The agency shall use at least \$100,000 of this appropriation to work with the Vermont youth conservation corps on appropriate ecosystem restoration and protection projects: 1,900,000

(d) The following sum is appropriated to the agency of natural resources for the state's year-three share of the federal match to conduct a three-year study of flood-control measures in the city of Montpelier. However, the state shall not enter into any commitment to pay for construction of flood control improvements without legislative approval: 177,000

(e) The following sum is appropriated to the agency of natural resources for the department of forests, parks and recreation for rehabilitation of small and

large infrastructure in the state forests and parks, including wastewater repairs, upgrades of restrooms and bathhouses, rehabilitation of CCC structures, and road restoration. Up to \$100,000 of these funds may be used to work with the Vermont youth conservation corps on appropriate forests, parks and recreation projects: 2,500,000

(f) The following sums are appropriated to the agency of natural resources for department of fish and wildlife projects described in this subsection:

(1) To match federal funding for a lamprey control project: 157,500

(2) Safety improvements at the Salisbury, Bennington, and Bald Hill fish hatcheries: 78,300

(3) Bald Hill fish hatchery, fish production improvements: 120,000

(4) Bald Hill emergency dam repair: 70,000

(5) For the Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure. The association shall enter into an agreement with any private landowner whose pond is upgraded, maintained, or built in whole or in part using state funds. The agreement shall provide for a lease of at least 10 years, with the option for renewal, and for mutually agreeable maintenance, repair, and use of the pond. In addition, the Walleye Association shall report in January 2011 to the house committee on corrections and institutions and the senate committee on institutions on use of the funds appropriated in this subdivision: 25,000

<u>(6) For improvement and expansion of existing fishing accesses:</u>	<u>250,000</u>
<u>Total Appropriation – Section 12</u>	<u>\$11,208,860</u>

Sec. 13. MILITARY

The sum of \$850,000 is appropriated to the department of the military for maintenance and renovation at state armories. To the extent feasible, these funds shall be used to draw down federal funds.

<u>Total Appropriation – Section 13</u>	<u>\$850,000</u>
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Sec. 14. PUBLIC SAFETY

The following is appropriated in total to the department of buildings and general services for the department of public safety for:

<u>(1) Renovations to the public safety headquarters building in Waterbury:</u>	<u>3,215,000</u>
<u>(2) Purchase of equipment for the fire service training center in Pittsford:</u>	<u>100,000</u>
<u>(3) Conversion to narrowband frequencies for SOV two-way radio systems:</u>	<u>45,000</u>
<u>Total Appropriation – Section 14</u>	<u>\$3,360,000</u>

Sec. 15. CRIMINAL JUSTICE TRAINING COUNCIL

The sum of \$1,000,000 is appropriated to the department of buildings and general services for the Vermont Criminal Justice Training Council to complete improvements and repairs to the firing range in Pittsford.

Total Appropriation – Section 15 \$1,000,000

Sec. 16. AGRICULTURE, FOOD AND MARKETS

The following is appropriated in total to the agency of agriculture, food and markets for the purposes described in this section:

(1) For the best management practice implementation cost share program, to continue to reduce nonpoint source pollution in Vermont. For projects paid from this appropriation, cost share funds may be increased to 90 percent of a project: 1,500,000

(2) For the agricultural buffer program, to install water quality conservation buffers: 175,000

(3) For infrastructure improvements at farmers' markets which are members of the Vermont farmers' markets association: 25,000

Total Appropriation – Section 16 \$1,700,000

Sec. 17. VERMONT PUBLIC TELEVISION

The sum of \$500,000 is appropriated to Vermont Public Television for the state match for the federally mandated conversion of Vermont Public Television's transmission sites to digital broadcasting format.

Total Appropriation – Section 17 \$500,000

Sec. 18. VERMONT RURAL FIRE PROTECTION

The sum of \$100,000 is appropriated to the department of public safety, division of fire safety for the Vermont rural fire protection task force to continue the dry hydrant program.

Total Appropriation – Section 18 \$100,000

Sec. 19. VERMONT VETERANS' HOME

The following sums are appropriated in total to the department of buildings and general services for the Vermont Veterans' Home for the purposes described in this section:

(1) Relocate and replace the transformer: 150,000

(2) Replace gas lines: 170,000

Total Appropriation – Section 19 \$320,000

Sec. 20. VERMONT CENTER FOR CRIME VICTIM SERVICES

The sum of \$50,000 is appropriated to the Vermont Center for Crime Victim Services for Americans with Disabilities Act improvements at domestic violence shelters. Annually, on or before December 1, the Vermont Center for

Crime Victim Services shall file with the commissioner of buildings and general services a report which details the status of the improvements funded in whole or in part by state capital appropriations.

Total Appropriation – Section 20

\$50,000

Sec. 21. VERMONT HISTORICAL SOCIETY

The sum of \$150,000 is appropriated to the department of buildings and general services for a one-to-one matching grant to the Vermont historical society to reduce debt at the Vermont history center in Barre. The department may release the funds to the historical society upon receiving certification that the funds have been matched.

Total Appropriation – Section 21

\$150,000

Sec. 22. HOUSING AND CONSERVATION BOARD

The amount of \$5,000,000 is appropriated to the Vermont housing and conservation board (VHCB) for building and preservation of affordable housing, and for conservation projects. The board shall:

(1) give priority consideration to affordable housing preservation and infill projects in or near downtowns or village centers as well as consider applications to build or renovate housing for elders, supportive housing for persons with disabilities, including chronic mental illness, and individuals and families who might otherwise be homeless;

(2) evaluate its current applications for building of affordable housing and give priority to encouraging and planning transitional and supportive housing for offenders reentering the community and persons with substance abuse problems, including public inebriates. The board and agency of human services shall collaborate to conduct outreach to and build partnerships among housing and human services providers. The agency of human services shall work to provide necessary support services for residents of these housing projects;

(3) allocate up to 20 percent of this appropriation for conservation grant awards that will maximize drawdown of federal and private matching funds, particularly federal farmland protection funds allocated to Vermont by the Natural Resources Conservation Service. If less than \$3,590,000 of the state's private use bond cap is made available to the VHCB for eligible affordable housing investments, VHCB may increase the amount it allocates to conservation grant awards from its capital appropriation, notwithstanding the percentage provided for in this section, provided that VHCB increases its affordable housing investments by the same amount from funds appropriated to VHCB in the FY 2011 Appropriations Act;

(4) allocate \$100,000 of this appropriation for the construction of single room occupancy (SRO) housing for at-risk youth. The board shall give priority to SRO housing that requires as a condition of residency participation

in educational, life-skills, and job training and programming and for which rental subsidies will support ongoing operational costs;

(5) leverage federal and private funds to the maximum extent feasible;

and

(6) on or before January 15, 2011, report to the senate committee on institutions and the house committee on corrections and institutions on how the funds appropriated in this section were spent or obligated.

Total Appropriation – Section 22

\$5,000,000

* * * Financing this Act * * *

Sec. 23. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

The following sums are reallocated to the department of buildings and general services to defray expenditures authorized in Sec. 1 of this act:

(1) of proceeds from sale of space in the Emory A. Hebard State Office Building in Newport pursuant to Sec. 37 of No. 62 of the Acts of 1997:

53,478.68

(2) of the amount realized from the sale of land on Swift Street in Burlington pursuant to Sec. 27 of No. 43 of the Acts of 2005:

30,000.00

(3) of the amount appropriated by Sec. 5(a)(1) of No. 147 of the Acts of the 2005 Adj. Sess. (2006) (Lamoille County courthouse):

61,508.11

(4) of the amount appropriated by Sec. 5(d) of No. 147 of the Acts of the 2005 Adj. Sess. (2006) (Grand Isle County courthouse):

8,476.40

(5) of the amount realized from a nonrefundable deposit for purchase of land pursuant to Sec. 25(2) of No. 147 of the Acts of the 2005 Adj. Sess.

(2006) (Comfort Hill Road, Vergennes): 3,010.00

(6) of the amount appropriated for dam inspection and repair at the Southeast State Correctional Facility in Windsor pursuant to Sec. 4(4) of No. 52 of the Acts of 2007:

68,868.00

(7) of the amount appropriated by Sec. 4(6) of No. 52 of the Acts of 2007 for security at the Chittenden Regional Correctional Facility:

422.49

(8) of the amount appropriated by Sec. 8(2) of No. 149 of the Acts of the 2001 Adj. Sess. (2002) for a sludge storage facility in Bradford:

42,521.92

(9) of the amount appropriated by Sec. 11(e)(3) of No. 256 of the Acts of the 1991 Adj. Sess. (1992) for grants and loans for solid waste management facilities:

2,704.23

(10) of the amount appropriated by Sec. 19(d)(1) of No. 233 of the Acts of the 1993 Adj. Sess. (1994) for municipal grants and loans for landfill closings:

2,000.00

(11) of the amount appropriated by Sec. 13(b)(4)(B) of No. 62 of the Acts of 1995 for assistance to municipalities for recycling:

25,143.58

(12) of the amount appropriated by Sec. 19(d)(3) of No. 233 of the Acts management facilities:

23,424.00

(13) of the amount appropriated by Sec. 10(b)(3) of No. 185 of the Acts

of the 1995 Adj. Sess. (1996) for municipal assistance for solid waste management facilities: 9,120.46

(14) of the amount appropriated by Sec. 10(k) of No. 147 of the Acts of the 2005 Adj. Sess. (2006) to purchase mechanical harvesting equipment: 2,479.03

(15) of the amount appropriated by Sec. 10(d) of No. 121 of the Acts of the 2003 Adj. Sess. (2004) for a forest plan for the Green Mountain National Forest: 11,921.57

(16) of the amount appropriated by Sec. 10(o) of No. 121 of the Acts of the 2003 Adj. Sess. (2004) for an engineering study of the state dock in St. Albans: 7,373.00

(17) of the amount appropriated by Sec. 3(3) of No. 43 of the Acts of 2009 for consideration of how to replace acute intensive psychiatric inpatient services provided at the current Vermont state hospital with services to be provided at the Rutland Regional Medical Center: 247,802.15

(18) of the amount appropriated by Sec. 10(d) of No. 121 of the Acts of the 2003 Adj. Sess. (2004) for forestry planning: 11,922.00

(19) of the amount appropriated by Sec. 12(f)(4) of No. 200 of the Acts of the 2007 Adj. Sess. (2008) for the Salisbury fish station generator: 13,119.00

(20) of the amount appropriated by Sec. 9 of No. 29 of the Acts of 1999

<u>for the Vermont historical society:</u>	<u>29,116.00</u>
<u>(21) of the amount appropriated by Sec. 3(c)(1) of No. 43 of the Acts of 2005 for a dormitory-style work camp:</u>	<u>41,163.00</u>
<u>(22) of the amount appropriated by Sec. 9(a)(1) of No. 43 of the Acts of 2009 for water pollution control:</u>	<u>88,879.00</u>
<u>(23) of the amount appropriated by Sec. 12(a)(1) of No. 200 of the Acts of the 2007 Adj. Sess. (2008) for water pollution control:</u>	<u>431,538.00</u>
<u>(24) of the amount appropriated by Sec. 4(f) of No. 147 of the Acts of the 2005 Adj. Sess. (2006) for heating and ventilation system for the Northern State Correctional Facility:</u>	<u>6,196.00</u>
<u>(25) of the amount appropriated by Sec. 1(7) of No. 147 of the Acts of 2005 Adj. Sess. (2006) for repairs to Vermont Veterans Home Heat Distribution System:</u>	<u>7,374.00</u>
<u>(26) of the amount appropriated by Sec. 23 of No. 148 of the Acts of the 1999 Adj. Sess. (2000) for non-point pollution reduction:</u>	<u>25,947.37</u>
<u>(27) of the amount appropriated by Sec. 5 of No. 61 of the Acts of 2001 for non-point source pollution reduction:</u>	<u>87,558.69</u>
<u>(28) of the amount appropriated by Sec. 13 of No. 149 of the Acts of the 2001 Adj. Sess. (2002) for non-point pollution reduction:</u>	<u>13,313.08</u>
<u>(29) of the amount appropriated by Sec. 14(a) of No. 63 of the Acts of 2003 for non-point source pollution reduction:</u>	<u>57,885.15</u>

<u>(30) of the amount appropriated by Sec. 15 of No. 121 of the Acts of the 2003 Adj. Sess. (2004) for non-point source pollution reduction:</u>	<u>170,537.39</u>
<u>(31) of the amount appropriated by Sec. 1 of No. 43 of the Acts of 2009 for VSH planning:</u>	<u>495,604.60</u>
<u>(32) of the amount appropriated by Sec. 4(a) of No. 200 of the Acts of the 2007 Adj. Sess. (2008) for a VSH feasibility study:</u>	<u>246,625.50</u>
<u>(33) of the amount appropriated by Sec. 3(b)(1)(A) of No. 43 of the Acts of 2005 for VSH futures planning:</u>	<u>28,000.40</u>
<u>Total Reallocations and Transfers – Section 23</u>	<u>\$2,355,032.80</u>

Sec. 24. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) The state treasurer is authorized to issue general obligation bonds in the amount of \$71,825,000 for the purpose of funding the appropriations of this act. The state treasurer, with the approval of the governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The state treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

(b) The sum of \$2,000,000 is transferred from the Vermont clean energy development fund established in 10 V.S.A. § 6523 to the department of

buildings and general services for the purpose of funding statewide energy efficiencies and renewable projects pursuant to Sec. 1(19) of this act.

Total Revenues – Section 24

\$73,825,000

* * * Buildings and General Services * * *

Sec. 25. PROPERTY TRANSACTIONS; MISCELLANEOUS

(a) Pursuant to 29 V.S.A. § 152(3), the commissioner of buildings and general services is authorized to purchase the land and existing building located at 245 South Park Drive in Colchester.

(b) Notwithstanding 29 V.S.A. § 166, the commissioner of buildings and general services is authorized to sell the land purchased under subsection (a) of this section to the University of Vermont for \$1.00, and to enter into a ground lease with the University of Vermont for \$1.00 for the purpose of locating the state health laboratory for a minimum of 50 years with an automatic renewal provision. With the advice and consent of the chairs and vice chairs of the house committee on corrections and institutions and the senate committee on institutions, the commissioner shall negotiate the ground lease so that the state will receive services and benefits from the university which will ensure that the land exchange is fair to both parties.

(c) Notwithstanding 29 V.S.A. §§ 166(b) and 165(h), after consultation with the chairs and vice chairs of the senate committee on institutions and the house committee on corrections and institutions, the commissioner of buildings

and general services is authorized to sell or enter into a lease purchase agreement at less than fair market value for building #617 in Essex.

(d) Notwithstanding 10 V.S.A. § 6524, \$2,000,000 of the American Recovery and Reinvestment funds described in 10 V.S.A. § 6523(h) shall be under the authority of the commissioner of buildings and general services and shall be for statewide energy efficiencies and renewable projects pursuant to Sec. 1(19) of this act.

(e) Notwithstanding 29 V.S.A. §§ 165 and 166, the commissioner of buildings and general services is authorized to sell to the city of Rutland the former armory building at 62 Pierpoint Avenue in Rutland at the 2010 appraised value. The sale may be a lease purchase agreement that would enable the city to lease the building for up to ten years and that would grant the city the right to purchase the property any time during the ten-year lease for fair market value with all lease payments and improvements to the property, at depreciated value, made by the city to the state being deducted from the purchase price. The lease-to-own agreement shall include a provision that the city shall pay all expenses, including major maintenance. If the commissioner is unable to negotiate a mutually acceptable agreement with the city of Rutland, the commissioner is authorized to sell the building pursuant to 29 V.S.A. § 166. Proceeds of the lease purchase under this subsection shall be paid into a capital fund account pursuant to 29 V.S.A. § 166(d).

(f) Following consultation with the state advisory council on historic preservation as required by 22 V.S.A. § 742(7) and pursuant to 29 V.S.A. § 166, the commissioner of buildings and general services is authorized to subdivide and sell the house, barn, and up to 10 acres of land at 3469 Lower Newton Road in St. Albans.

Sec. 26. USE AND DEVELOPMENT OF STATE FACILITIES AND
LANDS

(a) The commissioner of buildings and general services shall work with the town of Windsor to develop a plan for use of state lands adjacent to the Southeast State Correctional Facility in Windsor, and shall consult with the commissioner of forests, parks and recreation, the secretary of agriculture, food and markets, the commissioner of corrections, local wildlife conservation groups, and trails and recreation organizations as they develop the plan. The plan shall describe a mixed use of the area which will result in benefits to the town of Windsor, the region, and the state on a sustainable basis. Proposed uses shall be based on the natural attributes of the area so that for example, agricultural uses may be proposed in sections of prime agricultural soils, forestry uses may be proposed in areas suitable for sustainable tree growth, wildlife habitat is maintained and improved especially for Vermont species of greatest conservation need, and housing may be proposed to be clustered near recreational uses. On or before January 15, 2011, the commissioner of

buildings and general services and the town of Windsor shall jointly present the plan to the house and senate committees on natural resources and energy, the senate committee on institutions, and the house committee on corrections and institutions.

(b) The commissioner of buildings and general services shall work with the city of Montpelier to determine whether the state's steam plant could provide electricity or heat or both, to both state buildings and a portion of the city. If needed, the commissioner is authorized to sign a letter of intent which would broadly describe the general terms for the state's participation in the project, and support the city of Montpelier's commencement of necessary environmental reviews, if appropriate. However, any letter of intent shall be approved by the chairs of the senate committee on institutions and the house committee on corrections and institutions prior to signature, and no lease transfer or construction shall take place without the authorization of the general assembly.

(c) The commissioner of buildings and general services may use up to \$400,000 of unexpended FY10 funds allocated for major maintenance and \$400,000 of funds allocated for major maintenance in FY11 for:

- (1) up to \$600,000 for repair of the generator and switchgear of the cogeneration system at the state correctional facility in Springfield; and
- (2) up to \$200,000 for improvements and upgrades to the municipal

water system serving the Springfield correctional facility, provided that the town of Springfield contributes an equal amount of funds for the upgrades and provided that the town of Springfield agrees to accept ownership of the system in accordance with provision #9 of the correctional facility agreement executed between the state and the town on March 30, 1999. However, funds shall be expended under this subdivision only for the remainder of the project after the town has received federal funds for upgrade of the water system.

(d) Notwithstanding 29 V.S.A. § 166, the secretary of the agency of commerce and community development is authorized to enter into a lease with the Calvin Coolidge Memorial Foundation for a portion of the Calvin Coolidge state historic site in Plymouth Notch for use as an educational center for a term of years he or she deems to be in the best interests of the state.

Sec. 27. Sec. 1(8) and (11) of No. 43 of the Acts of 2009 are amended to read:

(8) BGS engineering and architectural project costs. It is the intent of the general assembly that labor and operating costs, such as engineering and architectural costs, shall not be paid for from bonded funds in the

future:	1,950,000	<u>2,408,340</u>
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(11) Bennington, 200 Veterans Drive. Demolish and design the rebuilding of the older section of the state office building, ~~excluding and a portion of the courthouse space; renovate the newer section of the building to house programs and services previously located in the building to address~~

department which administers a grant program under this chapter shall work with other administrators of building communities grants to develop a standard application form which:

- (1) describes the application process and includes clear instructions and examples to help applicants complete the form;
- (2) includes an opportunity for a community to demonstrate its ability to generate ~~required~~ one-for-one matching funds from local fundraising or other efforts;
- (3) includes a summary of each of the other grants, their deadlines, and a statement that no community shall apply for more than one grant under this chapter for the same project in the same calendar year; and
- (4) may include supplements specific to an individual grant.

* * *

§ 5602. HISTORIC PRESERVATION GRANT PROGRAM

There is established an historic preservation grant program which shall be administered by the division for historic preservation in the agency of commerce and community development. Grants shall be made available to municipalities and nonprofit tax-exempt organizations ~~on a one-for-one~~ matching basis for restoring buildings and structures.

§ 5603. HISTORIC BARNS PRESERVATION GRANT PROGRAM

There is established an historic barns preservation grant program which shall be administered by the division for historic preservation in the agency of commerce and community development. Grants shall be made available to ~~municipalities and nonprofit tax-exempt organizations on a one-for-one matching basis~~ barn owners for restoring historic barns.

§ 5604. CULTURAL FACILITIES GRANT PROGRAM

(a) There is established a cultural facilities competitive grant program to be administered by the Vermont arts council ~~and made available on a one-for-one matching basis with funds raised from nonstate sources~~. No portion of a grant shall be used to pay salaries.

(b) Grants shall be awarded on a competitive basis. In recommending grant awards, a review panel shall give priority consideration to applicants who demonstrate greater financial need or are in underserved areas of the state.

§ 5605. RECREATIONAL FACILITIES GRANT PROGRAM

(a) Creation of program. There is created a recreational facilities grant program to be the successor to and a continuation of the recreational and educational facilities grant program established in Sec. 34 of No. 43 of the Acts of 2005 to provide competitive grants to municipalities as defined in chapter 117 of Title 24 and to nonprofit organizations for capital costs associated with the development and creation of community recreational

opportunities in Vermont communities. The program is authorized to award matching grants of up to \$25,000.00 per project, ~~provided that grant funds shall be awarded only when evidence is presented by a successful applicant that three dollars have been raised from nonstate sources for every one dollar awarded under this program.~~ The required match shall be met through dollars raised and not through in-kind services.

* * *

§ 5606. HUMAN SERVICES AND EDUCATIONAL FACILITIES

COMPETITIVE GRANT PROGRAM

(a) Creation of program. There is created a human services and educational facilities grant program to be the successor to and a continuation of the human services competitive grant program established in Sec. 36 of No. 43 of the Acts of 2005 to provide competitive grants to municipalities as defined in chapter 117 of this title and to nonprofit organizations for capital costs associated with the major maintenance, renovation, or development of facilities for the delivery of human services and health care or for the development of educational opportunities in Vermont communities. The program is authorized to award matching grants of up to \$25,000.00 per project, ~~provided that grant funds shall be awarded only when evidence is presented by a successful applicant that at least three dollars have been raised from nonstate sources for every dollar awarded under this program.~~ The required match shall be met

through dollars raised and not through in-kind services.

* * *

* * * Commerce and Community Development * * *

Sec. 30. 23 V.S.A. § 3311(d) is amended to read:

(d) Underwater historic preserve area. A vessel shall not be operated in an “underwater historic preserve area” except as provided in this subsection.

These areas are historic and archaeological sites located on the bottomlands of the waters of the state and are designated as public recreational areas. The division for historic preservation may designate underwater historic preserve areas and they shall be identified by a floating special purpose yellow buoy marked “State of Vermont Underwater Historic Preserve.” The following requirements shall govern the operation of vessels at the preserves:

(1) a vessel may secure to a yellow buoy only when diving or remotely operated vehicle diving at the preserve. In this subsection, “remotely operated vehicle diving” means using an unstaffed underwater robot to view a preserve site;

(2) ~~only~~ vessels 35 feet in length or less, ~~and only those engaged in diving,~~ may secure to a buoy;

(3) vessels 50 feet in length or less and piloted by a U.S. Coast Guard-licensed captain may secure to a buoy for the purpose of remotely operated vehicle diving;

(4) a divers-down flag shall be displayed whenever a vessel is secured to a buoy;

~~(4)~~(5) on sites with multiple buoys, one vessel may be secured to each buoy;

~~(5)~~(6) when a vessel is secured to the buoy, all other vessels shall remain at least 200 feet from the buoy; and

~~(6)~~(7) anchoring is not permitted within 200 feet of the buoy.

Sec. 31. 10 V.S.A. § 6654(f) is amended to read:

(f) The Vermont economic development authority, VEDA, is authorized to make loans on behalf of the state pursuant to this section. Annually, the secretary of commerce and community development with the approval of the secretary of natural resources in consultation with the VEDA manager shall determine an amount from the brownfield revitalization program that will be available to VEDA for loans. Proceeds from repayment of loans shall be deposited in the brownfield revitalization fund and shall be available for future grants and loans under this section. Loans under this subsection shall be issued and administered by VEDA, provided:

* * *

(2) A loan to an applicant for characterization or assessment may not exceed \$250,000.00 ~~and may be used for characterization, assessment, or remediation.~~ Remediation loans shall not be capped. All loans shall be subject

to all the following conditions:

* * *

* * * Vermont Telecommunications Authority * * *

Sec. 32. VERMONT TELECOMMUNICATIONS AUTHORITY; USE OF
PRIVATE ACTIVITY BONDING AUTHORITY; REPORT

On or before January 15, 2011, the executive director of the Vermont telecommunications authority shall report to the senate committee on institutions, the senate committee on finance, the house committee on ways and means, and the house committee on corrections and institutions on revenues realized from infrastructure built with general obligation bond funds, private activity bonds issued pursuant to 30 V.S.A. § 8064, revenues realized from infrastructure built with private activity bonds, and what is needed to maximize use of the authority's private activity bonding authority.

* * * Natural Resources * * *

Sec. 33. 10 V.S.A. § 1974(4), (5), and (6) are added to read:

(4) The installation or use of a water treatment system for a potable water supply where the treatment system is designed to:

(A) reduce or eliminate water hardness;

(B) reduce or eliminate properties or constituents on the list of secondary standards in the Vermont water supply rules;

(C) reduce or eliminate radon, lead, arsenic, or a combination of these; or

(D) eliminate bacteria or pathogenic organisms, provided that the treatment system treats all of the water used for drinking, washing, bathing, the preparation of food, and laundering.

(5) The installation or use of a water treatment device, provided that the installation or use is overseen by the secretary as a part of a response action due to contamination or the threat of contamination of a potable water supply by a release or threat of release of a hazardous material or any other source of contamination.

(6) The increase in flow to an existing wastewater system as a result of the use of an exempt water treatment system under subdivisions (4) and (5) of this section.

Sec. 34. CLEAN WATER STATE REVOLVING FUND; INTENDED USE
PLAN; AMENDMENTS

(a) The agency of natural resources has written and submitted a clean water intended use plan for submission to the U.S. Environmental Protection Agency (EPA) as part of its annual application for a Clean Water Capitalization Grant. Upon acceptance by the EPA, Vermont expects to be awarded \$12,905,000 which it will distribute through the clean water state revolving fund. The

intended use plan describes how these funds will be distributed to municipal projects.

(b) If any of the municipalities allocated a share of the federal funds in the intended use plan are unable to use the funds due to unanticipated delays, or are eligible for other funds which could be used for the project instead of the federal funds, the agency is hereby directed to submit a plan amendment which will enable it to reallocate those funds to a project on the priority list which will cost more than \$4 million, does not readily qualify for other sources of funding, serves over 2,500 users, is in the economic growth center of the region, and will result in jobs and economic growth.

Sec. 35. POLLUTION CONTROL REVOLVING LOAN FUND;

DRINKING WATER REVOLVING FUND; LOAN

FORGIVENESS

(a) Upon awarding a loan from the Vermont environmental protection agency pollution control revolving fund or the Vermont environmental protection agency drinking water state revolving fund, the secretary of the agency of natural resources may forgive up to 50 percent of the loan if the award is made from funds appropriated from the Federal Fiscal Year 2010 Clean Water State Revolving Fund or Drinking Water State Revolving Fund Grants (FFY2010 CWSRF and FFY2010 DWSRF).

(b) Notwithstanding 10 V.S.A. § 1624a(b), the assistance provided by a loan from the Vermont environmental protection agency pollution control revolving fund made from FFY2010 CWSRF funds may be for up to 100 percent of the eligible project cost.

(c) The secretary shall establish standards, policies, and procedures as necessary for implementing the provisions of this section, for allocating the funds among projects, and for revising standard priority lists in order to comply with requirements associated with the federal FY2010 CWSRF and DWSRF capitalization grants.

Sec. 36. Sec. 8(a)(3) of No. 149 of the Acts of the 2001 Adj. Sess. (2002) is amended to read:

(3) Dams, maintenance and reconstruction; provided \$35,000 of this appropriation shall be made to supplement the \$55,000 federal Land and Water Conservation Fund grant for Harvey's Lake dam to replace the existing dam with an electronically-controlled rubber bladder dam; and provided ~~\$30,000~~ \$50,091 of this appropriation shall be made to enable engineering and design of repairs to abate the imminent hazard posed by the Curtis Pond dam in Calais, with the further provision that the state shall not be liable for any claims that may arise from the work performed at that dam: 300,000

* * * Vermont State Hospital * * *

Sec. 37. VERMONT STATE HOSPITAL; REPLACEMENT

(a) The general assembly supports the continued development of a secure recovery residence as a next step to replace a function of the state hospital. The department of mental health is directed to continue to develop plans for the replacement of state hospital functions consistent with state public policy and the terms of the conceptual certificate of need, including acute specialized and intensive care inpatient hospital beds and any other incomplete elements of the plan.

(b) The commissioner of buildings and general services shall make funds necessary for this work available from funds allocated in the past for planning and development of a secure recovery residence pursuant to subsection (c) of this section and for replacement of Vermont state hospital inpatient beds pursuant to subsection (d) of this section. These funds shall be replaced with up to \$10,000,000 in federal case load reserve funds, if available.

(c) The commissioner of buildings and general services and the commissioner of mental health shall continue to plan, design, and work to obtain permits for a secure residential recovery facility in Waterbury. Notwithstanding Sec. 31(b) of No. 43 of the Acts of 2009, simultaneous with the certificate of need process and prior to applying for a local permit for a new appropriately designed 15-bed secure residential program and facility in

Waterbury, the commissioners shall further review all potential building sites within the Waterbury complex and shall consult with the Waterbury village and town officials, and report on the final site to the chairs and vice chairs of the senate committee on institutions and house committee on corrections and institutions on or before July 1, 2010. The facility design shall incorporate the components necessary for the facility to function as a freestanding program that does not rely on support space currently serving patient needs in the existing Vermont state hospital.

(d) The commissioner of mental health shall plan for the replacement of Vermont state hospital inpatient beds in consultation with the following: Brattleboro Retreat, Rutland Regional Medical Center, and Dartmouth Medical School. The commissioner of buildings and general services shall engage in the design of the required space.

Sec. 38. Sec. 31(d) of No. 43 of the Acts of 2009 is amended to read:

(d) DAIL shall amend by rule pursuant to chapter 25 of Title 3 the licensing requirements for ~~therapeutic community residences~~ residential care homes to provide for the operation of secure residential recovery programs.

* * * Education * * *

Sec. 39. 16 V.S.A. § 3448(a)(7)(C) is amended to read:

(C) The amount of an award shall be 50 percent of the approved cost of a project or applicable portion of a project which results in consolidation of

two or more school buildings and which will serve the educational needs of students in a more cost-effective and educationally appropriate manner as compared to individual projects constructed separately. A decision of the commissioner as to eligibility for aid under this subdivision (C) shall be final. This subdivision (C) shall apply only to a project which has received preliminary approval by June 30, ~~2010~~ 2011.

Sec. 40. 30 V.S.A. § 8079 is amended to read:

§ 8079. BROADBAND INFRASTRUCTURE; INVESTMENT

(a) To achieve the goals established in subsection 8060(b) of this title, the authority is authorized to invest in broadband infrastructure or contract with retail providers for the purpose of making services available to at least 10,000 households or businesses in target communities where such services are currently unavailable or to upgrade services in underserved business districts, as determined by the authority. For the purposes of this section, target communities shall not be considered unserved if a broadband provider has a legally binding commitment to provide service to those locations or a provider has received a broadband stimulus grant to provide service to those locations.

(b) To accomplish the purpose of this section, the authority shall publish a request for proposals for ~~any or~~ all of the following options for the purpose of providing broadband coverage to 100 percent of Vermont households and businesses within target communities: (1) the construction of physical

broadband infrastructure, to be owned by the authority; (2) initiatives by public-private partnerships or retail vendors; or (3) programs that provide financial incentives to consumers, in the form of rebates for up to 18 months, for example, to ensure that providers have a sufficient number of subscribers. ~~Before publication, a copy of all requests for proposals shall be provided to the senate committee on finance and the house committee on commerce and economic development, and shall be approved by the joint fiscal committee~~ The authority shall select proposals for target communities that best achieve the objective stated in subsection (a) of this section, consistent with the criteria listed in subsections (c) and (d) of this section.

(c) Criteria. ~~In developing the criteria which will govern the requests for proposals regarding the expenditure of the appropriations contained in S.288 and H. 790 as enacted in the 2010 legislative session, and to the extent consistent with the objectives set forth in subsection (a) of this section, the authority shall strive to achieve~~ Any request for proposals developed under this section shall include the following requirements:

(1) ~~Require the use of current generation infrastructure, such as fiber optic cable where cable is used, or otherwise appropriate, and technology which is considered state of the art by the telecommunications industry.~~ The technology and infrastructure used by a telecommunications provider participating in a project pursuant to this section shall support the delivery of

services with an upload speed of at least one megabit per second, and combined download and upload speeds equal to or greater than five megabits per second. However, the Vermont telecommunications authority may waive the one megabit upload speed requirement if it determines this is in the best interest of the consumers.

(2) ~~Require that any infrastructure~~ Infrastructure owned and leased by the authority shall be available for use by as many telecommunication providers as the technology will permit to avoid the state from establishing a monopoly service territory for one provider.

(d) The authority shall review proposals and award contracts based upon the price, quality of services offered, positive experience with infrastructure maintenance, retail service delivery, and other factors determined to be in the public interest by the authority. In selecting target communities, the authority shall consider to the extent possible:

(1) the proportion of homes and businesses in those communities without access to broadband service and without access to broadband service meeting the minimum technical service characteristic objectives established under section 8077 of this title;

(2) the level of adoption of broadband service by residential and business users within the community;

(3) opportunities to leverage or support other sources of federal, state, or local funding for the expansion or adoption of broadband service;

(4) the number of potential new subscribers in each community and the total level of funding available for the program; and

(5) the geographic location of selected communities and whether new target communities would further the goal of bringing broadband service to all regions of the state.

(6) Pending grant and loan applications for the expansion of broadband service filed with the U.S. Department of Commerce and with the broadband initiatives program under the Rural Utilities Service of the U.S. Department of Agriculture, which will be awarded no later than October 1, 2010.

(e) To the extent any funds appropriated by the general assembly are rendered unnecessary for the purpose of reaching unserved Vermonters due to a successful application to the broadband initiatives program under the Rural Utilities Service of the U.S. Department of Agriculture, such funds shall be placed in reserve by the authority to be used first to achieve 100-percent coverage pursuant to chapter 91 of Title 30 and, once that is achieved, to then deliver fiber-quality service to Vermont's public facilities, regional business hubs, and anchor businesses and institutions.

(f) Beginning July 1, 2010, the authority may invest up to \$500,000.00 for upgrades in broadband services in underserved business districts, as defined by

the authority.

Sec. 41. Sec. 4(b) of No. 78 of the Acts of the 2009 Adj. Sess. (2010) is amended to read:

(b) No portion of the appropriation made in subsection (a) of this section shall be encumbered or disbursed until a detailed itemization of the specific manner in which the funds shall be spent is ~~presented to and approved by the joint fiscal committee, after obtaining input from~~ submitted to the senate committee on finance, the senate committee on economic development, housing and general affairs, and the house committee on commerce and economic development.

Sec. 42. COMMUNITY SAFETY AND CORRECTIONS TASK FORCE

(a) There is created a task force made up of one representative of the department of corrections chosen by the commissioner of corrections, two representatives of municipal governments chosen by the Vermont League of Cities and Towns, one member of the judiciary chosen by the administrative judge, one prosecutor chosen by the association of Vermont states attorneys and sheriffs, one representative of law enforcement chosen by the association of the Vermont police chiefs, one representative of the community justice centers chosen by the community justice center of Vermont. The commissioner of corrections shall call the committee together and preside until the election of a chair. The department of corrections shall provide staff

services to the committee.

(b) The task force shall consider the best ways to provide correctional services within the correctional system and within the community. The task force shall:

(1) Inventory overnight and residential facilities both in the corrections system and in the community for persons incapacitated due to overuse of alcohol or drugs, persons at risk of committing or who have committed a crime and who have a mental disability, persons at risk of committing or who have committed a crime and who have a substance abuse problem, detainees who need temporary housing, people reentering the community who need transitional housing after serving time in a correctional facility, and persons who have been convicted of a crime and are serving an alternate sentence in the community.

(2) Consider:

(A) the need for more bed capacity within the correctional system and whether the need can be met by building additional correctional capacity, reorganization of existing facilities, better use of community facilities for persons who may be lodged in a corrections facility for lack of a more appropriate space, additional supported and nonsupported community capacity, or some combination of these;

(B) ways to reduce the need for incarcerative beds through use of alternative sentencing and provision of community services to reduce crime, including consideration that the number of people on furlough, probation, or parole in a particular municipality does not overburden that municipality. A key benchmark to be considered is the ratio of supervisees to the municipality's total population. The task force shall also consider recommendations on how to minimize the related impact on the community.

(3) Report on the progress of its work to the general assembly on or before January 15, 2011, and make a final report with recommendations to the general assembly on or before November 15, 2011.

(c) The task force shall report its progress to the corrections oversight committee at least twice during the summer and fall of 2010.

Sec. 43. SHADOW LAKE FISH AND WILDLIFE ACCESS AREA; RIGHT OF WAY; COMMISSIONER OF BUILDINGS AND GENERAL SERVICES

(a) The commissioner of fish and wildlife shall negotiate an agreement with Junnie and Nellie Peck, who own land adjacent to the Shadow Lake fishing access. The agreement shall provide an easement across the land owned by the department of fish and wildlife to enable the landowners to access their residence. In return, the landowners shall provide to the state of

Vermont a right of first refusal on the land and shall retire the development rights on the land.

(b) The commissioner of buildings and general services shall appraise the value of development rights and right of first refusal on the Junnie and Nellie Peck property adjacent to the Shadow Lake fishing access.

Sec. 44. Sec. 13 of No. 78 of the Acts of the 2009 Adj. Sess. (2010) is amended to read:

Sec. 13. FARM-TO-PLATE INVESTMENT PROGRAM

The funds received pursuant to Sec. 7(a) of this act shall be used to further the initiatives of the farm-to-plate investment program established in 10 V.S.A. § 330 and support entities that will enhance the production, storage, processing, and distribution infrastructure of the Vermont food system. The funds shall be competitively awarded by the program director, in consultation with the secretary of agriculture, food and markets and the Vermont sustainable agriculture council, in the form of grants to nonprofit ~~farmers'~~ ~~markets and like~~ entities that are ready to implement their business plans or expand their existing operations to provide additional capacity and services within the food system. The funds also may be used for the coordination and implementation of the recommendations contained in the strategic plan of the farm-to-plate investment program.

Sec. 45. REPEALS

The following are repealed:

(1) 32 V.S.A. § 309(d), relating to emergency operation centers.

(2) Sec. 13(b)(2)(B) of No. 148 of the Acts of the 1997 Adj. Sess.

(1998), relating to deed covenants on land which may be conveyed by the state of Vermont to Rutland.

Sec. 46. EFFECTIVE DATE

This act shall take effect on passage.

Approved: June 4, 2010