

1 H.790

2 Introduced by Committee on Corrections and Institutions

3 Date:

4 Subject: Capital construction; capital appropriations; state bonding

5 Statement of purpose: This bill proposes to authorize bonding, appropriate
6 capital funds, and address miscellaneous related items.

7 An act relating to capital construction and state bonding

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

9 * * * Capital Appropriations * * *

10 Sec. 1. STATE BUILDINGS

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

18 (1) Statewide, asbestos and lead abatement: 300,000

19 (2) Statewide, Americans with Disabilities Act (ADA): 100,000

20 (3) Statewide, building reuse and planning: 125,000

1	<u>(4) Statewide, contingency:</u>	<u>500,000</u>
2	<u>(5) Statewide elevator repairs and upgrades:</u>	<u>350,000</u>
3	<u>(6) Statewide, major maintenance:</u>	<u>8,062,997</u>
4	<u>(7) Statewide, major maintenance, VT information centers:</u>	<u>100,000</u>
5	<u>(8) Statewide: BGS engineering and architectural project costs:</u>	
6		<u>2,465,785</u>
7	<u>(9) Statewide physical security enhancements:</u>	<u>100,000</u>
8	<u>(10) Montpelier, 116 State St., restore building envelope:</u>	<u>750,000</u>
9	<u>(11) Montpelier, 133 State St., infrastructure repair:</u>	<u>1,250,000</u>
10	<u>(12) Montpelier, 120 State St., replace heating system</u>	<u>750,000</u>
11	<u>(13) Waterbury, steamline extension:</u>	<u>700,000</u>
12	<u>(14) Waterbury, state office complex fire alarm panels and door holders:</u>	
13		<u>250,000</u>
14	<u>(15) Springfield, state office building, HVAC upgrade:</u>	<u>500,000</u>
15	<u>(16) Bennington, courthouse and state office building:</u>	<u>6,958,340</u>
16	<u>(17) Burlington, 32 Cherry St., HVAC upgrades:</u>	<u>500,000</u>
17	<u>(18) Burlington, 108 Cherry St., HVAC upgrades. The commissioner</u>	
18	<u>may reallocate funds between this subdivision and subdivision (17) of this</u>	
19	<u>section as the commissioner finds to be in the best interests of the state:</u>	
20		<u>500,000</u>
21	<u>Total Appropriation – Section 1</u>	<u>\$24,262,122</u>

Sec. 10. VERMONT STATE COLLEGES

The sum of \$1,750,000 is appropriated to the Vermont State Colleges for major facility maintenance: *\$1,750,000*

Total Appropriation – Section 10 *\$1,750,000*

Sec. 10a. 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 10a *290,085*

1 Sec. 11. NATURAL RESOURCES

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

4 (1) For grants to municipalities pursuant to chapter 55 of Title 10 (aid to
5 municipalities for water supply, pollution abatement, and sewer separations)
6 and chapter 120 of Title 24 (special environmental revolving fund), the
7 Springfield loan conversion, and administrative support under chapter 120 of
8 Title 24. Of this amount and the amount in subdivision (2) of this subsection,
9 up to \$50,000 may be used to provide municipalities with grants or loans for a
10 study of the feasibility and planning of site-appropriate potable water supply
11 and wastewater systems, including innovative decentralized systems, for
12 historic village and existing settled areas. Systems shall be designed to comply
13 with the adopted municipal plan. The agency of natural resources shall have
14 the discretion to determine eligibility for and amounts of funds provided to
15 municipalities for feasibility studies and planning, and shall report to the senate
16 committees on institutions and on natural resources and energy, and the house

1 committees on corrections and institutions and on fish, wildlife and water
2 resources on or before January 15, 2011, regarding how the municipal grant
3 program is working, the demand for the grants, what projects were funded, and
4 anticipated future construction costs of those projects: 2,375,400

5 (2) For combined sewer overflow projects receiving ARRA funding:

6 (A) Burlington, Gazo Avenue: 100,000

7 (B) Burlington, Manhattan Drive: 200,000

8 (C) Middlebury, pump station work: 450,000

9 (D) Montpelier, several areas of the city: 138,500

10 (E) Proctor sewer system rehabilitation: 32,500

11 (F) Springfield, several areas: 374,000

12 (3) Interest on short-term borrowing associated with delayed grant
13 funding for the Pownal project: 85,000

14 (b) The following sum is appropriated to the agency of natural resources
15 for the drinking water state revolving fund. Of this amount, up to \$50,000 may
16 be used to provide municipalities with grants or loans for a study of the
17 feasibility and planning of site-appropriate potable water supply and
18 wastewater systems, including innovative decentralized systems, for historic
19 village and existing settled areas. Systems shall be designed to comply with
20 the adopted municipal plan. The agency of natural resources shall have the
21 discretion to determine eligibility for and amounts of funds provided to

1 municipalities for feasibility studies and planning, and shall report to the senate
2 committees on institutions and on natural resources and energy, and the house
3 committees on corrections and institutions and on fish, wildlife and water
4 resources on or before January 15, 2011, regarding how the municipal grant
5 program is working, the demand for the grants, what projects were funded, and
6 anticipated future construction costs of those projects: 2,175,660

7 (c) The following sum is appropriated to the agency of natural resources for
8 the clean and clear program for ecosystem restoration and protection. The
9 agency shall use at least \$100,000 of this appropriation to work with the
10 Vermont youth conservation corps on appropriate ecosystem restoration and
11 protection projects: 1,700,000

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

17 (e) The following sums are appropriated to the agency of natural resources
18 for the department of forests, parks and recreation. The amounts listed in this
19 subsection are estimates. The commissioner of forests, parks and recreation
20 may move unexpended amounts for a given project into other projects listed in
21 this subsection:

1	<u>(1) rehabilitation and upgrades at Ascutney State Park:</u>	<u>360,000</u>
2	<u>(2) cabin construction at state parks:</u>	<u>144,000</u>
3	<u>(3) rehabilitation of small and large infrastructure in the state parks:</u>	
4		<u>1,196,000</u>
5	<u>(f) The following sums are appropriated to the agency of natural resources</u>	
6	<u>for department of fish and wildlife projects described in this subsection:</u>	
7	<u>(1) to match federal funding for a lamprey control project:</u>	<u>157,500</u>
8	<u>(2) Safety improvements at the Salisbury, Bennington, and Bald Hill</u>	
9	<u>fish hatcheries:</u>	<u>78,300</u>
10	<u>(3) Bald Hill fish hatchery, fish production improvements:</u>	<u>120,000</u>
11	<u>(4) Bald Hill emergency dam repair:</u>	<u>70,000</u>
12	<u>(5) For the Lake Champlain Walleye Association, Inc. to upgrade and</u>	
13	<u>repair the walleye rearing, restoration, and stocking infrastructure. The</u>	
14	<u>association shall enter into an agreement with any private landowner whose</u>	
15	<u>pond is upgraded, maintained, or built in whole or in part using state funds.</u>	
16	<u>The agreement shall provide for a lease of at least 10 years, with the option for</u>	
17	<u>renewal, and for mutually agreeable maintenance, repair, and use of the pond.</u>	
18	<u>In addition, the Walleye Association shall report in January 2011 to the house</u>	
19	<u>committee on corrections and institutions and the senate committee on</u>	
20	<u>institutions on use of the funds appropriated in this subdivision:</u>	<u>25,000</u>
21	<u>Total Appropriation – Section 11</u>	<u>\$9,958,860</u>

1 persons with disabilities, including chronic mental illness, and individuals and
2 families who might otherwise be homeless;

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

11 (3) allocate up to 20 percent of this appropriation for conservation grant
12 awards that will maximize drawdown of federal and private matching funds,
13 particularly federal farmland protection funds allocated to Vermont by the
14 Natural Resources Conservation Service;

15 (4) leverage federal and private funds to the maximum extent feasible;
16 and

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

20 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

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

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

14 (c) Notwithstanding 29 V.S.A. §§ 166(b) and 165(h), after consultation
15 with the chairs and vice chairs of the senate committee on institutions and the
16 house committee on corrections and institutions, the commissioner of buildings
17 and general services is authorized to sell or enter into a lease purchase
18 agreement at less than fair market value for building #617 in Essex.

19 (d) Notwithstanding 29 V.S.A. §§ 165 and 166, the commissioner of
20 buildings and general services is authorized to sell to the city of Rutland the
21 former armory building at 62 Pierpoint Avenue in Rutland at the 2010

1 appraised value. The sale may be a lease purchase agreement that would
2 enable the city to lease the building for up to ten years and that would grant the
3 city the right to purchase the property any time during the ten-year lease for
4 fair market value with all lease payments made by the city to the state being
5 deducted from the purchase price. The lease-to-own agreement shall include a
6 provision that the city shall pay all expenses including major maintenance. If
7 the commissioner is unable to negotiate a mutually acceptable agreement with
8 the city of Rutland, the commissioner is authorized to sell the building
9 pursuant to 29 V.S.A. § 166. Proceeds of the lease purchase under this
10 subsection shall be paid into a capital fund account pursuant to 29 V.S.A.
11 § 166(d).

(e) 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 land and buildings at the northwest state correctional~~
~~facility~~ *the house, barn, and up to 10 acres of land at 3469 Lower Newton*
Road in St. Albans.

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

14 (a) The commissioner of buildings and general services shall work with the
15 town of Windsor to develop a plan for use of state lands adjacent to the

1 southeast state correctional facility in Windsor, and shall consult with the
2 commissioner of forests parks and recreation, and the commissioner of
3 corrections as they develop the plan. The plan shall describe a mixed use of
4 the area which will result in benefits to the town of Windsor, the region, and
5 the state on a sustainable basis. Proposed uses shall be based on the natural
6 attributes of the area so that for example, agricultural uses may be proposed in
7 sections of prime agricultural soils, forestry uses may be proposed in areas
8 suitable for sustainable tree growth, and housing may be proposed to be
9 clustered near recreational uses. On or before January 15, 2011, the
10 commissioner of buildings and general services and the town of Windsor shall
11 jointly present the plan to the senate committee on institutions and the house
12 committee on corrections and institutions.

13 (b) The commissioner of buildings and general services shall apply to the
14 clean energy development fund for \$2,000,000 for a geothermal energy project
15 to heat the Bennington state office building.

16 (c) The commissioner of buildings and general services shall work with the
17 city of Montpelier to determine whether the state's steam plant should be sold,
18 leased, demolished and replaced, converted, or some combination thereof;
19 resulting in a plant that would generate electricity and provide heat and water
20 to state buildings and to a portion of the city. In addition, after the
21 commissioner completes the analysis of the options presented in this

1 subsection, the commissioner is authorized to sign a letter of intent which, at a
2 minimum, includes in general terms the outline of the plant's location,
3 ownership status, proposed parties to the transaction, and the necessary
4 conveyances, conditions, and requirements to state participation in the project
5 and that support the city of Montpelier's commencement of the necessary
6 environmental reviews. The letter of intent shall be approved by the chairs of
7 the senate committee on institutions and the house committee on corrections
8 and institutions prior to signature, and no lease transfer or construction shall
9 take place without the authorization of the general assembly.

10 (d) It is the intent of the general assembly that all programs and services of
11 the secretary of state shall be consolidated within the capital complex.

12 (e) The commissioner of buildings and general services shall conduct a
13 study on the infrastructure needs and space reconfiguration of the areas
14 occupied by the department of motor vehicles at 120 State St. in Montpelier.

15 (f) The commissioner of buildings and general services may use up to
16 \$400,000 of unexpended FY10 funds allocated for major maintenance and
17 \$200,000 of funds allocated for major maintenance in FY 11 for repair of the
18 generator and switchgear of the cogeneration system at the state correctional
19 facility in Springfield.

20 (g) Notwithstanding 29 V.S.A. § 166, the secretary of the agency of
21 commerce and community development is authorized to enter into a lease with

1 the Calvin Coolidge Memorial Foundation for a portion of the Calvin Coolidge
2 state historic site in Plymouth Notch for use as an educational center for a term
3 of years he or she deems to be in the best interests of the state.

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

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

8 1,950,000 2,408,340

9 (11) Bennington, 200 Veterans Drive. Demolish and design the
10 rebuilding of the older section of the state office building, ~~excluding and a~~
11 portion of the courthouse space; renovate the newer section of the building to
12 ~~house programs and services previously located in the building to address~~
13 water infiltration and indoor air quality issues, consolidate all courthouse
14 functions in an expanded building, enhance energy opportunities, and allow
15 geothermal equipment to be installed under the new space; and build four
16 holding cells, a sally port, and two additional courtrooms without jury facilities
17 for a total of four courtrooms: 8,000,000 7,541,660

18 Sec. 28. 3 V.S.A. § 2291 is amended to read:

19 § 2291. STATE AGENCY ENERGY PLAN

20 * * *

1 (e) The commissioner of buildings and general services shall develop life
2 cycle cost guidelines for use in all state buildings. These guidelines shall
3 require all new construction and major renovations to meet or exceed the
4 document titled “The Vermont Guidelines for Energy Efficient Commercial
5 Construction” as published in its most recent edition by the department of
6 public service as that document may be amended and shall have a goal of
7 consuming no more than 68 million British thermal units (MMBtu) of energy
8 annually, including conversion of all energy consumption units, per square
9 foot.

10 * * *

11 (f) The commissioner of buildings and general services shall ~~biennially~~
12 annually report to the secretary of administration, the senate committee on
13 institutions, the house committee on corrections and institutions, and the senate
14 and house committees on natural resources and energy on the state’s
15 implementation of this section.

16 Sec. 29. 32 V.S.A. § 310 is amended to read:

17 § 310. FORM OF ANNUAL CAPITAL BUDGET AND ~~LONG-RANGE~~
18 FIVE-YEAR CAPITAL PROGRAM PLAN

19 (a) Each annual capital budget request submitted to the general assembly
20 shall be accompanied by, and placed in the context of, a ~~long-range~~ five-year
21 state capital program plan to be prepared, and revised annually, by the

1 governor. The five-year plan shall include a list of all projects which may be
2 recommended for funding in the ensuing four fiscal years.

3 (b) The annual capital budget request for the following fiscal year shall be
4 presented as the next one-year increment of the ~~long-range~~ five-year plan.

5 Elements of the plan shall include:

6 (1) Assessment and projection of need.

7 (A) Capital needs and projections shall be based upon current and
8 projected statistics on capital inventories and upon state demographic and
9 economic conditions.

10 (B) Capital inventories shall encompass all state financed capital
11 programs, including:

12 (i) state buildings, facilities, and land acquisitions;

13 (ii) higher education;

14 (iii) aid to municipalities for education, environmental
15 conservation, including water, sewer, and solid waste projects, and other
16 purposes; and

17 (iv) transportation facilities.

18 (C) The capital needs and projections shall be for each of the next
19 five fiscal years, with longer-term projections presented for programs with
20 reasonably predictable longer-term needs.

21 (D) Capital needs and projections shall be presented in two ways:

1 (i) independently of financing requirements or opportunities; and

2 (ii) within the bonding amounts recommended by the capital debt

3 affordability advisory committee for the next five fiscal years.

4 (2) Comprehensive cost and financing assessment.

5 (A) Amounts appropriated and expended for the current fiscal year

6 and for the preceding fiscal year shall be indicated for capital programs and for

7 individual projects. This shall include the source of funds for any project

8 which required additional funding, a description of any authorized projects

9 which were delayed, and a description of projects funded due to reallocation of

10 funds or bond authority transferred from another project.

11 (B) Amounts proposed to be appropriated for the following fiscal

12 year and each of the four years thereafter shall be indicated for capital

13 programs and for individual projects. This shall be revised annually to reflect

14 revised cost estimates and changes made in allocations due to project delays.

15 (C) The capital costs of programs and of individual projects,

16 including funds for the development and evaluation of each project shall be

17 presented in full, for the entire period of their development.

18 (D) The operating costs, both actual and prospective, of capital

19 programs and of individual projects shall be presented in full, for the entire

20 period of their development and expected useful life.

1 municipality, chosen by the board of the Vermont League of Cities and Towns;
2 one representative of local mental health agencies chosen by the Vermont
3 council of development and mental health services; one representative of the
4 judiciary chosen by the administrative judge; one representative of community
5 justice centers chosen by the community justice center of Vermont; one
6 employee of the division of alcohol and drug abuse programs chosen by the
7 secretary of human services; one prosecutor chosen by the association of
8 Vermont state's attorneys and sheriffs, and one representative of law
9 enforcement chosen by the Vermont police chiefs association. The
10 commissioner of corrections shall call the committee together and preside until
11 election of a chair. The department of corrections shall provide staff services
12 to the committee.

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

16 (1) Inventory overnight and residential facilities both in the corrections
17 system and in the community for persons incapacitated due to overuse of
18 alcohol or drugs, persons at risk of committing or who have committed a crime
19 and who have a mental disability, persons at risk of committing or who have
20 committed a crime and who have a substance abuse problem, detainees who
21 need temporary housing, people reentering the community who need

1 transitional housing after serving time in a correctional facility, and persons
2 who have been convicted of a crime and are serving an alternate sentence in
3 the community.

4 (2) Consider:

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

~~(B) ways to reduce the need for incarcerative beds through use of~~
~~alternate sentencing and provision of services to reduce crime.~~

(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.

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

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

16 (d) Members of the task force who are not paid for their work on the task
17 force as an employee of the organization or group they represent shall receive a

1 per diem and expenses pursuant to 32 V.S.A. § 1010, the expenses to be paid
2 from the budget of the department of corrections.

3 * * * Building Communities Grants * * *

4 Sec. 32. 24 V.S.A. chapter 137 is amended to read:

5 CHAPTER 137. BUILDING COMMUNITIES GRANTS

6 § 5601. BUILDING COMMUNITIES GRANTS

7 (a) The purpose of this chapter is to establish grants to help communities
8 preserve important historic buildings and enhance community facilities.

9 Therefore, in order to make it easy for communities to apply, the board or
10 department which administers a grant program under this chapter shall work
11 with other administrators of building communities grants to develop a standard
12 application form which:

13 (1) describes the application process and includes clear instructions and
14 examples to help applicants complete the form;

15 (2) includes an opportunity for a community to demonstrate its ability to
16 generate ~~required~~ one-for-one matching funds from local fundraising or other
17 efforts;

18 (3) includes a summary of each of the other grants, their deadlines, and a
19 statement that no community shall apply for more than one grant under this
20 chapter for the same project in the same calendar year; and

21 (4) may include supplements specific to an individual grant.

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§ 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 BARN 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.

1 § 5605. RECREATIONAL FACILITIES GRANT PROGRAM

2 (a) Creation of program. There is created a recreational facilities grant
3 program to be the successor to and a continuation of the recreational and
4 educational facilities grant program established in Sec. 34 of No. 43 of the
5 Acts of 2005 to provide competitive grants to municipalities as defined in
6 chapter 117 of Title 24 and to nonprofit organizations for capital costs
7 associated with the development and creation of community recreational
8 opportunities in Vermont communities. The program is authorized to award
9 matching grants of up to \$25,000.00 per project, ~~provided that grant funds shall~~
10 ~~be awarded only when evidence is presented by a successful applicant that~~
11 ~~three dollars have been raised from nonstate sources for every one dollar~~
12 ~~awarded under this program. The required match shall be met through dollars~~
13 ~~raised and not through in-kind services.~~

14 * * *

15 § 5606. HUMAN SERVICES AND EDUCATIONAL FACILITIES
16 COMPETITIVE GRANT PROGRAM

17 (a) Creation of program. There is created a human services and educational
18 facilities grant program to be the successor to and a continuation of the human
19 services competitive grant program established in Sec. 36 of No. 43 of the Acts
20 of 2005 to provide competitive grants to municipalities as defined in chapter
21 117 of this title and to nonprofit organizations for capital costs associated with

1 the major maintenance, renovation, or development of facilities for the
2 delivery of human services and health care or for the development of
3 educational opportunities in Vermont communities. The program is authorized
4 to award matching grants of up to \$25,000.00 per project, ~~provided that grant~~
5 ~~funds shall be awarded only when evidence is presented by a successful~~
6 ~~applicant that at least three dollars have been raised from nonstate sources for~~
7 ~~every dollar awarded under this program~~ The required match shall be met
8 through dollars raised and not through in-kind services.

9 * * *

10 * * * Commerce and Community Development * * *

11 Sec. 33. 10 V.S.A. § 6654(f) is amended to read:

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

21 * * *

1 (B) Creating and capitalizing a revolving loan fund for information
2 technology infrastructure needs. This fund would be used for buying or
3 leasing information technology infrastructure and contain repayment protocols,
4 where possible, for agencies and departments. Examination of this concept
5 shall include capitalization funding options from the general fund, capital
6 funds, or other funds.

7 (C) Dedicating ongoing funding from annual funds or capital funds,
8 or both.

9 (D) Establishing special agency funds supported by agency revenues
10 such as fees.

(E) Authorizing occasional increases in the debt limit to
accommodate specific projects.

~~(E)~~ *(F)* Other options.

11 (b) On or before December 1, 2010, the secretary shall submit a report to
12 the house and senate committees on appropriations, the house committee on
13 institutions and corrections, and the senate committee on institutions
14 presenting the various options and recommendations for setting up and funding
15 these needs.

16 * * * Vermont Telecommunications Authority * * *

1 Sec. 35. VERMONT TELECOMMUNICATIONS AUTHORITY; USE OF
2 PRIVATE ACTIVITY BONDING AUTHORITY; REPORT

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

10 * * * Natural Resources * * *

11 Sec. 36. POLLUTION CONTROL REVOLVING LOAN FUND;
12 DRINKING WATER REVOLVING FUND; LOAN
13 FORGIVENESS

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

state hospital. If statutory criteria are determined by the division of health care administration to have been met and a certificate of need is granted, the general assembly intends to continue to support the capital construction costs of this project in future capital bill legislation.

(b) 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.

(c) The department of mental health shall proceed with further inpatient Phase II certificate of need applications only if the general assembly has identified an acceptable financing plan.

1 *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.

2 *Sec. ~~38~~. 40 REPEALS*

3 The following are repealed:

4 (1) 32 V.S.A. § 309(d), relating to emergency operation centers.

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

6 (1998), relating to deed covenants on land which may be conveyed by the state

7 of Vermont to Rutland.

Sec. ~~39~~ 41. EFFECTIVE DATE

1 This act shall take effect on passage.