

# House Calendar

Tuesday, May 12, 2015

126th DAY OF THE BIENNIAL SESSION

House Convenes at 9:30 A.M.

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**ACTION CALENDAR**

**Action Postponed Until May 12, 2015**

**Favorable with Amendment**

**J.R.S. 9**

Joint resolution encouraging public high schools to explore recruiting and enrolling international students on F-1 student visas in order to promote tuition based income while also exposing F-1 students and our public school K-12 Vermont students to enriched cross cultural learning experiences

**Rep. Miller of Shaftsbury**, for the Committee on **Education**, recommends the resolution be amended as follows:

In the second *Resolved* clause as follows:

First: After “Secretary of Education,” by striking out “, and” and inserting in lieu thereof “;”

Second: After “a public high school” by inserting “; to the members of the Vermont Congressional Delegation; and to the U.S. Secretaries of State and of Education”

**( Committee Vote: 11-0-0)**

**Senate Proposal of Amendment**

**H. 98**

An act relating to reportable disease registries and data

The Senate proposes to the House to amend the bill as follows:

First: by adding two new sections to be numbered Secs. 3 and 4 to read as follows:

Sec. 3. 18 V.S.A. § 1122 is amended to read:

§ 1122. EXEMPTIONS

(a) Notwithstanding subsections 1121(a) and (b) of this title, a person may remain in school or in ~~the~~ a child care facility without a required immunization:

(1) If the person or, in the case of a minor, the person’s parent or guardian presents a form created by the ~~department~~ Department and signed by a licensed health care practitioner authorized to prescribe vaccines or a health clinic stating that the person is in the process of being immunized. The person

may continue to attend school or ~~the~~ a child care facility for up to six months while the immunization process is being accomplished;

(2) If a health care practitioner, licensed to practice in Vermont and authorized to prescribe vaccines, certifies in writing that a specific immunization is or may be detrimental to the person's health or is not appropriate, provided that when a particular vaccine is no longer contraindicated, the person shall be required to receive the vaccine; ~~or,~~

(3) If the person or, in the case of a minor, the person's parent or guardian annually provides a signed statement to the school or child care facility on a form created by the ~~Vermont department of health~~ Department that the person, parent, or guardian:

(A) holds religious beliefs ~~or philosophical convictions~~ opposed to immunization; and

(B) has reviewed ~~and understands~~ evidence-based educational material provided by the ~~department of health~~ Department regarding immunizations, including:

(i) information about the risks of adverse reactions to immunization;

~~(C)~~(ii) ~~understands~~ information that failure to complete the required vaccination schedule increases risk to the person and others of contracting or carrying a vaccine-preventable infectious disease; and

~~(D)~~(iii) ~~understands~~ information that there are persons with special health needs attending schools and child care facilities who are unable to be vaccinated or who are at heightened risk of contracting a vaccine-preventable communicable disease and for whom such a disease could be life-threatening.

\* \* \*

Sec. 4. 18 V.S.A. § 1124 is amended to read:

#### § 1124. ACCESS TO AND REPORTING OF IMMUNIZATION RECORDS

(a) In addition to any data collected in accordance with the requirements of the Centers for Disease Control and Prevention, the ~~Vermont department of health~~ Department shall annually collect from schools the immunization rates for at least those students in the first and eighth grades for each required vaccine. The data collected by the ~~department~~ Department shall include the number of medical, ~~philosophical,~~ and religious exemptions filed for each required vaccine and the number of students with a provisional admittance.

\* \* \*

And by renumbering the existing Secs. 3 and 4 to be Secs. 5 and 6, respectively.

Second: In renumbered Sec. 5, 18 V.S.A. § 1129, in subsection (b), in the fourth sentence, by striking out the phrase “as defined in 16 V.S.A. § 1691a”.

Third: In renumbered Sec. 5, 18 V.S.A. § 1129, by inserting a new subsection to be subsection (g) to read as follows:

(g) As used in this section, “administrator” means an individual licensed under 16 V.S.A. chapter 5, the majority of whose employed time in a public school, school district, or supervisory union is assigned to developing and managing school curriculum, evaluating and disciplining personnel, or supervising and managing a school system or school program. “Administrator” also means an individual employed by an approved or recognized independent school the majority of whose assigned time is devoted to those duties.

(For text see House Journal 3/18/2015 )

**Amendment to be offered by Reps. Dame of Essex, Berry of Manchester, Fiske of Enosburgh, and Troiano of Stannard to H. 98**

By striking out Secs. 3 and 4 in their entirety and by renumbering the existing Secs. 5 and 6 to be Secs. 3 and 4, respectively.

**H. 477**

An act relating to miscellaneous amendments to election law

The Senate proposes to the House to amend the bill as follows:

First: By striking out Sec. 6 (17 V.S.A. § 2386 (time for filing statements)) in its entirety and inserting in lieu thereof a new Sec. 6 to read as follows:

Sec. 6. 17 V.S.A. § 2386 is amended to read:

**§ 2386. TIME FOR FILING STATEMENTS**

(a) ~~Statements pursuant to this subchapter, except for vacancies created by the death or withdrawal of a candidate after the~~ In the case of the failure of a major political party to nominate a candidate by primary, a statement shall be filed as set forth in section 2356 of this title not later than 5:00 p.m. on the third day following the primary.

(b) In the case of the death or withdrawal of a candidate after the primary election, the party committee shall have seven days from the date of the death or withdrawal to nominate a candidate. In no event, shall a statement be filed later than 60 days prior to the election.

(c) In the case of a nomination by a minor political party, a statement shall be filed as set forth in section 2356 of this chapter.

(d) In the case of a nomination for the office of justice of the peace, a statement shall be filed as set forth in section 2413 of this chapter.

Second: By adding two new sections under the “Campaign Finance” reader assistance heading to be Secs. 29a and 29b to read as follows:

Sec. 29a. 17 V.S.A. § 2903 is amended to read:

§ 2903. PENALTIES

(a) A person who knowingly and intentionally violates a provision of subchapter 2, 3, or 4 of this chapter shall be fined not more than \$1,000.00 or imprisoned not more than six months, or both.

(b) A person who violates any provision of this chapter shall be subject to a civil penalty of up to \$10,000.00 for each violation and shall refund ~~the unspent balance of Vermont campaign finance grants received under subchapter 5 of this chapter, if any, calculated as of the date of the violation to~~ the Secretary of State an amount equivalent to any contributions or expenditures that violate subdivision 2983(b)(1) of this chapter.

(c) In addition to the other penalties provided in this section, a State’s Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.

Sec. 29b. APPLICABILITY OF SEC. 29a

It is the intent of the General Assembly that the provisions of 1 V.S.A. § 214(c) shall apply to Sec. 29a of this act.

(For text see House Journal 3/18/2015 )

**H. 480**

An act relating to making miscellaneous technical and other amendments to education laws

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Elementary Education; Prekindergarten \* \* \*

Sec. 1. 16 V.S.A. § 11(a)(3) is amended to read:

(3) “Elementary education” means a program of public school education adapted to the needs of students in prekindergarten, kindergarten, and the first six grades.

\* \* \* School Boards; Designation; Technical Correction \* \* \*

Sec. 2. 16 V.S.A. § 563(31) is amended to read:

(31) Subject to the requirements of section 571 of this title, may enter into contracts with other school boards to provide joint programs, services, facilities, and professional or other staff. ~~Nothing herein shall be construed to permit the designation by a school district that does not maintain a secondary school of another school district's secondary school as the secondary school of the district.~~

\* \* \* Sight and Hearing Testing; Equipment \* \* \*

Sec. 3. REPEAL

16 V.S.A. § 1421 (sight and hearing testing equipment) is repealed.

\* \* \* Vermont State Colleges; Technical Correction \* \* \*

Sec. 4. 16 V.S.A. § 2179 is amended to read:

§ 2179. NONAPPLICABILITY OF CERTAIN STATUTES

Except as expressly provided in this chapter, the Corporation, its officers and employees shall not be governed by:

\* \* \*

(9) 21 V.S.A. § 342~~(d)~~(c), dealing with required written employee authorization before an employer may pay wages through electronic funds transfer or other direct deposit systems to a checking, savings, or other deposit account maintained by the employee within or outside the State.

\* \* \* University of Vermont and State Agricultural College \* \* \*

Sec. 4a. 16 V.S.A. § 2285 is added to read:

§ 2285. NONAPPLICABILITY OF CERTAIN REQUIREMENTS FOR PAYMENT OF WAGES

Except as expressly provided in this chapter, the University of Vermont and State Agricultural College and its Board of Trustees, officers, and employees shall not be subject to the provisions of 21 V.S.A. § 342(c) that require written employee authorization before an employer may pay wages through electronic funds transfer or other direct deposit systems to a checking, savings, or other deposit account maintained by the employee within or outside the State.

\* \* \* Tiered System of Supports \* \* \*

Sec. 5. 16 V.S.A. § 2902 is amended to read:

§ 2902. ~~EDUCATIONAL SUPPORT SYSTEM~~ TIERED SYSTEM OF

## SUPPORTS AND EDUCATIONAL SUPPORT TEAM

(a) Within each school district's comprehensive system of educational services, each public school shall develop and maintain ~~an educational support system for students who require additional assistance in order~~ a tiered system of academic and behavioral supports for the purpose of providing all students with the opportunity to succeed or to be challenged in the general education environment. For each school it maintains, a school district board shall assign responsibility for developing and maintaining the ~~educational support system~~ tiered system of supports either to the superintendent pursuant to a contract entered into under section 267 of this title or to the school principal. The ~~educational support system~~ school shall provide all students a full and fair opportunity to access the system of supports and achieve educational success. The tiered system of supports shall, at a minimum, include an educational support team and a range of support and remedial services, including, instructional and behavioral interventions, and accommodations that are available as needed for any student who requires support beyond what can be provided in the general education classroom, and may include intensive, individualized interventions for any student requiring a higher level of support.

(b) The ~~educational support system~~ tiered system of supports shall:

(1) Be ~~integrated to the extent~~ aligned as appropriate with the general education curriculum.

(2) Be designed to ~~increase~~ enhance the ability of the general education system to meet the needs of all students.

(3) Be designed to provide ~~students the support needed~~ necessary supports promptly, regardless of an individual student's eligibility for categorical programs.

(4) ~~Provide clear procedures and methods for addressing student behavior that is disruptive to the learning environment and include educational options, support services, and consultation or training for staff where appropriate. Procedures may include removal of a student from the classroom or the school building for as long as appropriate, consistent with state and federal law and the school's policy on student discipline, after reasonable effort has been made to support the student in the regular classroom environment~~ Seek to identify and respond to students in need of support for at-risk behaviors and to students in need of specialized, individualized behavior supports.

(5) ~~Ensure~~ Provide all students with a continuum of evidence-based and research-based behavior practices that teach and encourage prosocial skills and behaviors schoolwide.

(6) Promote collaboration with families, community supports, and the system of health and human services.

\* \* \*

\* \* \* Small School Support; Outdated References \* \* \*

Sec. 6. REPEAL

16 V.S.A. § 4015(d) (small school support; references to two repealed provisions) is repealed.

\* \* \* Education Fund; Technical Correction \* \* \*

Sec. 7. 16 V.S.A. § 4025 is amended to read:

§ 4025. EDUCATION FUND

(a) An Education Fund is established to comprise the following:

\* \* \*

~~(4) Revenue from the electric generating plant education property tax under 32 V.S.A. § 5402a. [Repealed.]~~

\* \* \*

\* \* \* Governance of the Vermont State Colleges; Technical Correction \* \* \*

Sec. 8. 16 V.S.A. § 2172(d) is amended to read:

~~(d) The Governor, in the case of gubernatorial appointed trustees, or the Board of Trustees, in the case of Board elected trustees:~~

(1) The Board of Trustees, after notice and a hearing, may remove a trustee for incompetency, failure to discharge duties, malfeasance, illegal acts, or other cases inimical to the welfare of the Corporation; ~~and~~.

(2) Gubernatorial-appointed trustees shall serve at the pleasure of the Governor pursuant to 3 V.S.A. § 2004.

(3) ~~in~~ In the event of a vacancy occurring under this subsection, the Governor or the Board, as applicable, shall fill the vacancy pursuant to subsection (a) of this section.

\* \* \* Effective Dates \* \* \*

Sec. 9. EFFECTIVE DATES

(a) This section and Secs. 1–7 shall take effect on July 1, 2015.

(b) Sec. 8 (16 V.S.A. § 2172(d)) shall take effect on July 16, 2015.

(For text see House Journal 3/20/205 )



## H. 492

An act relating to capital construction and State bonding

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Capital Appropriations \* \* \*

### Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$157,207,752.00 authorized in this act, no more than \$80,068,449.00 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

(b) It is the intent of the General Assembly that in the second year of the biennium, any amendments to the appropriations or authorities granted in this act shall take the form of a Capital Construction and State Bonding Adjustment Act. It is the intent of the General Assembly that unless otherwise indicated, all appropriations in this act are subject to capital budget adjustment.

### Sec. 2. STATE BUILDINGS

(a) The following sums are appropriated 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.

(b) The following sums are appropriated in FY 2016:

<u>(1) Statewide, asbestos:</u>	<u>\$50,000.00</u>
<u>(2) Statewide, building reuse and planning:</u>	<u>\$75,000.00</u>
<u>(3) Statewide, contingency:</u>	<u>\$100,000.00</u>
<u>(4) Statewide, elevator repairs and replacement:</u>	<u>\$100,000.00</u>
<u>(5) Statewide, major maintenance:</u>	<u>\$8,210,287.00</u>
<u>(6) Statewide, BGS engineering and architectural project costs:</u>	<u>\$3,567,791.00</u>
<u>(7) Statewide, physical security enhancements:</u>	<u>\$200,000.00</u>
<u>(8) Burlington, 32 Cherry Street, HVAC controls upgrades:</u>	<u>\$150,000.00</u>
<u>(9) Burlington, 108 Cherry Street, garage and structural audit:</u>	

	<u>\$50,000.00</u>
<u>(10) Montpelier, 120 State Street, life safety and infrastructure improvements:</u>	<u>\$300,000.00</u>
<u>(11) Montpelier, Department of Labor, parking lot expansion:</u>	<u>\$450,000.00</u>
<u>(12) Middlesex, State Archives, renovations:</u>	<u>\$660,000.00</u>
<u>(13) Newport, Northern State Correctional Facility, maintenance shop:</u>	<u>\$450,000.00</u>
<u>(14) Randolph, Agency of Agriculture, Food and Markets and Agency of Natural Resources, collaborative laboratory, finalizing design and construction documents, bid proposal, and permitting:</u>	<u>\$2,500,000.00</u>
<u>(15) Southern State Correctional Facility, construction of Phase I of the steamline replacement, design and cost estimation for Phase II:</u>	<u>\$1,200,000.00</u>
<u>(16) Southern State Correctional Facility, copper waterline replacement and project-related costs:</u>	<u>\$1,829,086.00</u>
<u>(17) St. Johnsbury, Caledonia Courthouse, stabilize foundation:</u>	<u>\$1,700,000.00</u>
<u>(18) Pittsford, Training Center, electrical system upgrade:</u>	<u>\$120,000.00</u>
<u>(19) Waterbury State Office Complex, complex restoration, and project-related costs:</u>	<u>\$19,151,826.00</u>
<u>(20) White River Junction, Windsor Courthouse, design and planning for mechanical, electrical and plumbing, security and energy upgrades:</u>	<u>\$300,000.00</u>
<u>(21) Colchester, Woodside Juvenile Rehabilitation Center, project design and planning, and begin repairs and improvements:</u>	<u>\$200,000.00</u>
<u>(c) The following sums are appropriated in FY 2017:</u>	
<u>(1) Statewide, asbestos:</u>	<u>\$50,000.00</u>
<u>(2) Statewide, building reuse and planning:</u>	<u>\$75,000.00</u>
<u>(3) Statewide, contingency:</u>	<u>\$100,000.00</u>

<u>(4) Statewide, elevator repairs and replacement:</u>	<u>\$100,000.00</u>
<u>(5) Statewide, major maintenance:</u>	<u>\$8,000,000.00</u>
<u>(6) Statewide, BGS engineering and architectural project costs:</u>	<u>\$3,677,448.00</u>
<u>(7) Statewide, physical security enhancements:</u>	<u>\$200,000.00</u>
<u>(8) Montpelier, 115 State Street, State House lawn, access improvements and water intrusion:</u>	<u>\$300,000.00</u>
<u>(9) Montpelier, 120 State Street, life safety and infrastructure improvements:</u>	<u>\$1,000,000.00</u>
<u>(10) Randolph, Agency of Agriculture, Food and Markets and Agency of Natural Resources, collaborative laboratory, site construction:</u>	<u>\$16,931,385.00</u>
<u>(11) Southern State Correctional Facility, copper waterline replacement:</u>	<u>\$1,100,000.00</u>
<u>(12) Pittsford, Training Center, electrical system upgrade:</u>	<u>\$500,000.00</u>
<u>(13) Statewide, strategic building realignments:</u>	<u>\$300,000.00</u>

(d) Any funds remaining from the amount appropriated in subdivision (b)(19) for restoration and projected-related costs at the Waterbury State Office Complex shall be directed toward the beginning phases of design and fit up of the Weeks and Hanks buildings.

<u>Appropriation – FY 2016</u>	<u>\$41,363,990.00</u>
<u>Appropriation – FY 2017</u>	<u>\$32,333,833.00</u>
<u>Total Appropriation – Section 2</u>	<u>\$73,697,823.00</u>

### Sec. 3. ADMINISTRATION

(a) The following sums are 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:

- (1) \$125,000.00 is appropriated in FY 2016.
- (2) \$125,000.00 is appropriated in FY 2017.

(b) The following sums are appropriated to the Department of Finance and Management for the ERP expansion project (Phase II):

- (1) \$5,000,000.00 is appropriated in FY 2016.

(2) \$9,267,470.00 is appropriated in FY 2017.

(c) The sum of \$6,000,000.00 is appropriated in FY 2017 to the Agency of Human Services for the Health and Human Services Enterprise IT System.

<u>Appropriation – FY 2016</u>	<u>\$5,125,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$15,392,470.00</u>
<u>Total Appropriation – Section 3</u>	<u>\$20,517,470.00</u>

Sec. 4. HUMAN SERVICES

(a) The following sums are appropriated in FY 2016 to the Department of Buildings and General Services for the Agency of Human Services for the projects described in this subsection:

<u>(1) Corrections, perimeter intrusion:</u>	<u>\$100,000.00</u>
<u>(2) Corrections, camera and systems:</u>	<u>\$100,000.00</u>
<u>(3) Corrections, security upgrades and enhancements:</u>	<u>\$100,000.00</u>

(b) The following sums are appropriated in FY 2017 to the Department of Buildings and General Services for the Agency of Human Services for the projects described in this subsection:

<u>(1) Corrections, perimeter intrusion:</u>	<u>\$100,000.00</u>
<u>(2) Corrections, security upgrades and enhancements:</u>	<u>\$100,000.00</u>
<u>Appropriation – FY 2016</u>	<u>\$300,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$200,000.00</u>
<u>Total Appropriation – Section 4</u>	<u>\$500,000.00</u>

Sec. 5. JUDICIARY

(a) The sum of \$180,000.00 is appropriated in FY 2016 to the Department of Buildings and General Services for the Judiciary for ADA compliance at county courthouses.

(b) The following sums are appropriated in FY 2016 to the Judiciary:

<u>(1) Statewide court security systems and improvements:</u>	<u>\$150,000.00</u>
<u>(2) Judicial case management system:</u>	<u>\$750,000.00</u>

(c) The following sums are appropriated in FY 2017 to the Judiciary:

<u>(1) Statewide court security systems and improvements:</u>	<u>\$150,000.00</u>
<u>(2) Judicial case management system:</u>	<u>\$5,000,000.00</u>

<u>Appropriation – FY 2016</u>	<u>\$1,080,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$5,150,000.00</u>
<u>Total Appropriation – Section 5</u>	<u>\$6,230,000.00</u>

Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2016 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Major maintenance at historic sites statewide:</u>	<u>\$200,000.00</u>
<u>(2) Bennington Monument, elevator, roof repairs:</u>	<u>\$118,000.00</u>

(b) The following sums are appropriated in FY 2016 to the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Underwater preserves:</u>	<u>\$30,000.00</u>
<u>(2) Placement and replacement of roadside historic markers:</u>	<u>\$15,000.00</u>
<u>(3) Unmarked burial fund:</u>	<u>\$30,000.00</u>

(c) The following sums are appropriated in FY 2017 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Major maintenance at historic sites statewide:</u>	<u>\$200,000.00</u>
<u>(2) Bennington Monument, elevator, roof repairs:</u>	<u>\$50,000.00</u>

(d) The following sums are appropriated in FY 2017 to the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Underwater preserves:</u>	<u>\$30,000.00</u>
<u>(2) Placement and replacement of roadside historic markers:</u>	<u>\$15,000.00</u>

<u>Appropriation – FY 2016</u>	<u>\$393,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$295,000.00</u>
<u>Total Appropriation – Section 6</u>	<u>\$688,000.00</u>

Sec. 7. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2016 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: \$225,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: \$225,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made available from the National Endowment for the Arts, provided that all capital funds are made available to the cultural facilities grant program: \$225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: \$225,000.00

(5) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$225,000.00

(b) The following sum is appropriated in FY 2016 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: \$225,000.00

(c) The following sums are appropriated in FY 2017 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: \$225,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: \$225,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made available from the National Endowment for the Arts, provided that all capital funds are made available to the cultural facilities grant program: \$225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: \$225,000.00

(5) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$225,000.00

(d) The following sum is appropriated in FY 2017 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: \$225,000.00

(e) The following amounts are appropriated in FY 2016 to the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program:

(1) Human Services: \$120,000.00

(2) Educational Facilities: \$120,000.00

(f) The following amounts are appropriated in FY 2017 to the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program:

(1) Human Services: \$110,000.00

(2) Educational Facilities: \$110,000.00

Appropriation – FY 2016 \$1,590,000.00

Appropriation – FY 2017 \$1,570,000.00

Total Appropriation – Section 7 \$3,160,000.00

#### Sec. 8. EDUCATION

(a) The following sums are appropriated in FY 2016 to the Agency of Education for funding the State share of completed school construction projects pursuant to 16 V.S.A. § 3448 and emergency projects:

(1) Emergency projects: \$82,188.00

(2) School construction projects: \$3,975,500.00

(b) The sum of \$60,000.00 is appropriated in FY 2017 to the Agency of Education for State aid for emergency projects.

Appropriation – FY 2016 \$4,057,688.00

Appropriation – FY 2017 \$60,000.00

Total Appropriation – Section 8 \$4,117,688.00

#### Sec. 9. UNIVERSITY OF VERMONT

(a) The sum of \$1,400,000.00 is appropriated in FY 2016 to the University of Vermont for construction, renovation, and major maintenance.

(b) The sum of \$1,400,000.00 is appropriated in FY 2017 to the University of Vermont for construction, renovation, and major maintenance.

Total Appropriation – Section 9 \$2,800,000.00

#### Sec. 10. VERMONT STATE COLLEGES

(a) The following sums are appropriated in FY 2016 to the Vermont State

Colleges:

- (1) Construction, renovation, and major maintenance: \$1,400,000.00
- (2) Engineering technology laboratories, plan, design, and upgrade:  
\$1,000,000.00

(b) The following sums are appropriated in FY 2017 to the Vermont State Colleges:

- (1) Construction, renovation, and major maintenance: \$1,400,000.00
- (2) Engineering technology laboratories, plan, design, and upgrade:  
\$500,000.00

(c) It is the intent of the General Assembly that the amount appropriated in subdivision (b)(2) of this section shall be used as a challenge grant to raise funds to upgrade engineering technology laboratories at the Vermont Technical College. The funds shall only become available after the Vermont Technical College has notified the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and the Commissioner of Finance and Management that \$500,000.00 in committed funds has been raised to match the appropriation in subdivision (b)(2) of this section and finance additional costs of comprehensive laboratory improvements.

<u>Appropriation – FY 2016</u>	<u>\$2,400,000.00</u>
<u>Appropriation – FY 2017</u>	<u>\$1,900,000.00</u>
<u>Total Appropriation – Section 10</u>	<u>\$4,300,000.00</u>

Sec. 11. NATURAL RESOURCES

(a) The following sums are appropriated in FY 2016 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

- (1) the Water Pollution Control Fund, Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$1,300,000.00
- (2) the Water Pollution Control Fund, administrative support – engineering, oversight, and program management: \$300,000.00
- (3) Drinking Water Supply, Drinking Water State Revolving Fund:  
\$1,750,834.00
- (4) Drinking Water Supply, engineering oversight and project management: \$300,000.00
- (5) EcoSystem restoration and protection: \$3,750,000.00



- (6) Dam safety and hydrology projects: \$538,580.00
- (7) Municipal Pollution Control Grants, principal and interest associated with funding for the Pownal project: \$530,000.00
- (8) Municipal Pollution Control Grants, Waterbury waste treatment facility for phosphorous removal: \$379,929.00
- (9) Municipal Pollution Control Grants, pollution control projects and planning advances for feasibility studies: \$392,258.00
- (b) The following sums are appropriated in FY 2016 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the projects described in this subsection:
- (1) Infrastructure rehabilitation, including statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: \$3,000,000.00
- (2) Guilford, Sweet Pond: \$90,000.00
- (c) The following sums are appropriated in FY 2016 to the Agency of Natural Resources for the Department of Fish and Wildlife:
- (1) General infrastructure projects: \$1,125,000.00
- (2) Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure: \$25,000.00
- (d) The following sums are appropriated in FY 2017 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:
- (1) the Water Pollution Control Fund for the Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$1,300,000.00
- (2) the Water Pollution Control Fund, administrative support – engineering, oversight, and program management: \$300,000.00
- (3) the Drinking Water Supply, Drinking Water State Revolving Fund: \$2,538,000.00
- (4) the Drinking Water Supply, engineering oversight and project management: \$300,000.00
- (5) EcoSystem restoration and protection: \$3,750,000.00
- (6) Dam safety and hydrology projects: \$750,000.00
- (e) The following sums are appropriated in FY 2017 to the Agency of

Natural Resources for the Department of Forests, Parks and Recreation for the projects described in this subsection:

(1) Infrastructure rehabilitation, including statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: \$3,000,000.00

(2) Guilford, Sweet Pond: \$405,000.00

(f) The following sums are appropriated in FY 2017 to the Agency of Natural Resources for the Department of Fish and Wildlife:

(1) General infrastructure projects: \$875,000.00

(2) Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure: \$25,000.00

Appropriation – FY 2016 \$13,481,601.00

Appropriation – FY 2017 \$13,243,000.00

Total Appropriation – Section 11 \$26,724,601.00

#### Sec. 12. MILITARY

(a) The following sums are appropriated in FY 2016 to the Department of Military for the projects described in this subsection:

(1) Maintenance, renovations, roof replacements, ADA renovations, and energy upgrades at State armories. To the extent feasible, these funds shall be used to match federal funds: \$750,000.00

(2) Randolph, Vermont Veterans' Memorial Cemetery, agricultural mitigation for the proposed cemetery expansion: \$59,759.00

(b) The sum of \$750,000.00 is appropriated in FY 2017 to the Department of Military for maintenance, renovations, roof replacements, ADA renovations, and energy upgrades at State armories. To the extent feasible, these funds shall be used to match federal funds.

Appropriation – FY 2016 \$809,759.00

Appropriation – FY 2017 \$750,000.00

Total Appropriation – Section 12 \$1,559,759.00

#### Sec. 13. PUBLIC SAFETY

(a) The sum of \$300,000.00 is appropriated in FY 2016 to the Department of Buildings and General Services for the State's share of the Vermont Emergency Service Training Facility for site location and foundation

construction of the new burn building at the Robert H. Wood Vermont Fire Academy. The Department of Public Safety may accept federal funds to support this project.

(b) The funds appropriated in subsection (a) of this section shall only become available after the Department of Public Safety has notified the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of receipt of the federal match for the project.

Total Appropriation – Section 13 \$300,000.00

#### Sec. 14. AGRICULTURE, FOOD AND MARKETS

(a) The following sums are appropriated in FY 2016 to the Agency of Agriculture, Food and Markets for the projects described in this subsection:

(1) Best Management Practices and Conservation Reserve Enhancement Program: \$1,752,412.00

(2) Vermont Exposition Center Building, upgrades: \$200,000.00

(3) Community and nonprofit agricultural water quality projects: \$250,000.00

(b) The following sums are appropriated in FY 2017 to the Agency of Agriculture, Food and Markets for the projects described in this subsection:

(1) Best Management Practices and Conservation Reserve Enhancement Program: \$1,800,000.00

(2) Vermont Exposition Center Building, upgrades: \$115,000.00

(c) On or before January 15, 2016, the Secretary of Agriculture, Food and Markets shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the projects funded from the appropriation in subdivision (a)(3) of this section.

Appropriation – FY 2016 \$2,202,412.00

Appropriation – FY 2017 \$1,915,000.00

Total Appropriation – Section 14 \$4,117,412.00

#### Sec. 15. VERMONT RURAL FIRE PROTECTION

(a) The sum of \$125,000.00 is appropriated in FY 2016 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the dry hydrant program.

(b) The sum of \$125,000.00 is appropriated in FY 2017 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the

project described in subsection (a) of this section.

Total Appropriation – Section 15 \$250,000.00

Sec. 16. VERMONT VETERANS' HOME

The sum of \$500,000.00 is appropriated in FY 2016 to the Vermont Veterans' Home for an electronic medical records system. These funds shall be used to match federal funds and shall only become available after the Veterans' Home notifies the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and the Commissioner of Finance and Management that the electronic medical records system is in compliance with the criteria for creating and maintaining connectivity established by the Vermont Information Technology Leaders pursuant to 18 V.S.A. § 9352(i).

Total Appropriation – Section 16 \$500,000.00

Sec. 17. VERMONT HISTORICAL SOCIETY

The sum of \$50,000.00 is appropriated in FY 2016 to the Department of Buildings and General Services for the Vermont Historical Society (VHS) for a matching grant to reduce debt at the Vermont History Center in Barre. The funds shall only become available after the VHS notifies the Department that the funds have been matched.

Total Appropriation – Section 17 \$50,000.00

Sec. 18. VERMONT HOUSING AND CONSERVATION BOARD

(a) The following amounts are appropriated in FY 2016 to the Vermont Housing and Conservation Board.

(1) Statewide, water quality improvement projects: \$1,500,000.00

(2) Housing: \$1,800,000.00

(3) Statewide, water quality improvement or other conservation and agriculture projects: \$1,250,000.00

(b) The following amounts are appropriated in FY 2017 to the Vermont Housing and Conservation Board.

(1) Statewide, water quality improvement projects: \$1,000,000.00

(2) Housing: \$1,800,000.00

Appropriation – FY 2016 \$4,550,000.00

Appropriation – FY 2017 \$2,800,000.00

Total Appropriation – Section 18 \$7,350,000.00

Sec. 19. VERMONT INTERACTIVE TECHNOLOGIES

\$220,000.00 is appropriated in FY 2016 to the Vermont State Colleges on behalf of Vermont Interactive Technologies (VIT) for all costs associated with the dissolution of VIT's operations.

Total Appropriation – Section 19 \$220,000.00

Sec. 20. GENERAL ASSEMBLY

(a) The sum of \$120,000.00 is appropriated in FY 16 to the Office of Legislative Council budget on behalf of the Office of the Secretary of the Senate and the Office of the Clerk of the House for upgrades to the legislative international roll call (IRC) program. All work on the project described in this section shall be under the direction of the Secretary of the Senate, the Clerk of the House, and the Office of the Legislative Council.

(b) The sum of \$5,000.00 is appropriated in FY 17 to the Sergeant at Arms for security upgrades in the State House.

Appropriation – FY 2016 \$120,000.00

Appropriation – FY 2017 \$5,000.00

Total Appropriation – Section 20 \$125,000.00

\* \* \* Financing this Act \* \* \*

Sec. 21. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

(a) The following sums are reallocated to the Department of Buildings and General Services from prior capital appropriations to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated in 2010 Acts and Resolves No. 161, Sec. 1 (Bennington State Office Building): \$49,062.60

(2) of the amount appropriated in 2010 Acts and Resolves No. 161, Sec. 16 (Ag various projects): \$352,412.25

(3) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 2(b) (State House committee renovations): \$28,702.15

(4) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 13 (Public Safety review of State Police facilities): \$5,000.00

(5) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 17 (VT Public TV): \$856.00

(6) of the amount appropriated in 2013 Acts and Resolves No. 51, Sec. 2 (BGS engineering staff): \$58,236.66

(7) of the amount appropriated in 2013 Acts and Resolves No. 51, Sec. 2 (133 State Street foundation and parking lot): \$156,642.16

(8) of the amount appropriated in 2013 Acts and Resolves No. 51, Sec. 4 (DOC facilities assessment): \$19,913.12

(9) of the amount appropriated in 2013 Acts and Resolves No. 51, Sec. 18a (E-911): \$9,940.00

(10) of the amount appropriated in 2013 Acts and Resolves No. 51, Sec. 15 (VT Public TV): \$0.21

(b) The following unexpended funds appropriated to the Agency of Natural Resources for capital construction projects are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 14 (Fish and Wildlife): \$0.07

(2) of the amount appropriated in 2010 Acts and Resolves No. 161, Sec. 12 (DEC Water Pollution Control): \$6,981.00

(3) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 12, as amended by 2012 Acts and Resolves No. 104, Sec. 8 (drinking water project): \$35,483.32

(4) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 12 (Fish and Wildlife, Roxbury): \$128,802.00

(5) of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 12, as amended by 2012 Acts and Resolves No. 104, Sec 8 (Fish and Wildlife, Roxbury): \$87,204.00

(c) The following sums are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the proceeds from the sale of property authorized by 1996 Acts and Resolves No. 102, Sec. 1 (Duxbury land sale): \$45,556.36

(2) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25 (Building 617, Essex): \$7,078.21

(3) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25 (1193 North Avenue, Burlington): \$353,785.97

(4) of the proceeds from the sale of property authorized by 2011 Acts and Resolves No. 40, Sec. 2, as amended by 2012 Acts and Resolves No. 104, Sec. 3 (121 and 123 South Main Street, Waterbury): \$75,000.00

(5) of the proceeds from the sale of property authorized by 2011 Acts and Resolves No. 40, Sec. 2, as amended by 2012 Acts and Resolves No. 104, Sec. 3 (Ladd Hall, Waterbury): \$228,000.00

Total Reallocations and Transfers – Section 21 \$1,648,656.08

**Sec. 22. GENERAL OBLIGATION BONDS AND APPROPRIATIONS**

(a) The State Treasurer is authorized to issue general obligation bonds in the amount of \$144,000,000.00 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 State Treasurer is further authorized to issue additional general obligation bonds in the amount of \$11,559,096.05 that were previously authorized but unissued under 2014 Acts and Resolves No. 178 for the purpose of funding the appropriations of this act.

Total Revenues – Section 22 \$155,559,096.05

\* \* \* Policy \* \* \*

\* \* \* Buildings and General Services \* \* \*

**Sec. 23. LEASING PROPERTY; FAIR MARKET VALUE**

(a) It is the intent of the General Assembly that any leases for State-owned space in any State-owned building, structure, or other real property under the jurisdiction of the Commissioner of Buildings and General Services that are in existence prior to the effective date of this act shall be renewed at fair market value by July 1, 2019.

(b) The Commissioner of Buildings and General Services shall evaluate whether to sell any State-owned building, structure, or other real property that is being leased under fair market value.

**Sec. 24. AGENCY OF AGRICULTURE, FOOD AND MARKETS AND AGENCY OF NATURAL RESOURCES LABORATORY**

Notwithstanding the authority contained in 29 V.S.A. § 164, the Department of Buildings and General Services shall enter into a ground lease or other similar legal instrument with Vermont Technical College for the purpose of locating the Agency of Agriculture, Food and Markets and Agency of Natural Resources' collaborative laboratory on the Vermont Technical

College campus in Randolph, Vermont.

Sec. 24a. 29 V.S.A. § 161(b) is amended to read:

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 and which is authorized or funded in whole or in part by a capital construction act pursuant to 32 V.S.A. § 701a, ~~including such a project of the University of Vermont and State Agricultural College and of the Vermont State Colleges,~~ shall provide that all construction employees working on the project shall be paid no less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey. As used in this section, “fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

Sec. 24b. 29 V.S.A. § 161(b) is amended to read:

(b) Each contract awarded under this section for any State project with a construction cost exceeding \$100,000.00 ~~and or a construction project with a construction cost exceeding \$200,000.00~~ which is authorized ~~or~~ and is at least 50 percent funded in whole or in part by a capital construction act pursuant to 32 V.S.A. § 701a shall provide that all construction employees working on the project shall be paid no less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey. As used in this section, “fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

Sec. 24c. STATE CONSTRUCTION PROJECTS; CONTRACTS SUBJECT TO STATE PREVAILING WAGE;

(a) Notwithstanding Sec. 24a of this act, the following contracts shall remain subject to the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey:

(1) contracts for State construction projects executed prior to July 1, 2016;

(2) any change orders or amendments to contracts for State construction



projects executed prior to July 1, 2016; and

(3) contracts for State construction projects that result from instructions to bidders posted by the State of Vermont prior to July 1, 2016.

(b) On or before July 1, 2016, the Department of Buildings and General Services shall amend all bid packets and contracts to include mean prevailing wage rates published periodically by the Vermont Department of Labor in its occupational employment and wage survey plus an additional fringe benefit of 42 and one-half percent of wage, as calculated by the current Vermont prevailing wage survey.

Sec. 24d. PREVAILING WAGE; UNIVERSITY OF VERMONT AND  
VERMONT STATE COLLEGES

Notwithstanding any other provision of law, the University of Vermont and State Agricultural College and the Vermont State Colleges shall pay no less than the prevailing wage determinations in accordance with the requirements of 29 V.S.A. § 161(b) for any new construction or major renovation project that receives funding in any capital construction act.

Sec. 24e. PREVAILING WAGE; AGENCY OF AGRICULTURE, FOOD  
AND MARKETS AND AGENCY OF NATURAL RESOURCES  
LABORATORY

Notwithstanding any other provision of law, prevailing wage determinations for the construction of the Agency of Agriculture, Food and Markets and the Agency of Natural Resources laboratory shall be made in accordance with the requirements of 29 V.S.A. § 161(b).

Sec. 24f. PREVAILING WAGE; AUDITS

The Commissioner of Labor, in consultation with the Commissioner of Buildings and General Services, shall conduct random audits of any contractor subject to 29 V.S.A. § 161(b) in sufficient number to ensure compliance with statutory requirements.

Sec. 25. NAMING OF STATE BUILDINGS AND FACILITIES

On or before January 15, 2016, the Commissioner of Buildings and General Services and the State Librarian shall recommend to the House Committee on Corrections and Institutions and the Senate Committee on Institutions an appropriate State agency or department to name State buildings and facilities.

Sec. 26. 29 V.S.A. § 821(a) is amended to read:

(a) State buildings.

\* \* \*

(13) “Vermont Agriculture and Environmental Laboratory” shall be the name of the State laboratory in Randolph.

\* \* \*

Sec. 27. 2014 Acts and Resolves No. 178, Sec. 37 is amended to read:

Sec. 37. COUNTY COURTHOUSES; PLAN

(a) Pursuant to the restructuring of the Judiciary in 2009 Acts and Resolves No. 154, the Court Administrator ~~and~~, in consultation with the Commissioner of Buildings and General Services, shall evaluate:

(1) the scope of the State’s responsibility for maintaining county courthouses, including Americans with Disabilities Act (ADA) compliance and;

(2) whether an emergency fund is necessary for construction or renovation projects at county courthouses;

(3) the current ownership and maintenance responsibilities for each county courthouse; and

(4) parameters for determining the county’s share of maintaining county courthouses in the future.

(b) On or before January 15, ~~2015~~ 2016, the Judiciary shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with the results of the evaluation.

Sec. 28. 2014 Acts and Resolves No. 178, Sec. 17 is amended to read:

Sec. 17. 2011 Acts and Resolves No. 40, Sec. 26(c) is amended to read:

(c) ~~The~~ Notwithstanding 29 V.S.A. § 166, the Commissioner of Buildings and General Services is authorized to do any or all of the following with respect to the Vermont health laboratory located at 195 Colchester Avenue in Burlington:

(1) investigate all potential uses of the land and building, including redeveloping the land, provided that it is consistent with existing deed covenants; ~~and~~

(2) enter into agreements and execute any necessary documentation to release or extinguish any of the existing deed covenants with respect to the land; and

(3) convey by quitclaim deed any interest in the building as is with no warranties and no representations as to conditions to the University of Vermont.

Sec. 29. 2013 Acts and Resolves No. 51, Sec. 2, as amended by 2014 Acts and Resolves No. 178, Sec. 1, is amended to read:

Sec. 1. 2013 Acts and Resolves No. 51, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

\* \* \*

(c) The following sums are appropriated in FY 2015:

\* \* \*

(13) Permanent secure residential facility, proposal for siting ~~and design~~  
(as described in Sec. 40 of this act): \$50,000.00

Sec. 30. SECURE RESIDENTIAL FACILITY; PLAN FOR SITING AND DESIGN

(a) The Secretary of Human Services shall conduct an examination of the needs of the Agency of Human Services for siting and designing a secure residential facility. The examination shall analyze the operating costs for the facility, including the staffing, size of the facility, the quality of care supported by the structure, and the broadest options available for the management and ownership of the facility.

(b) The funds appropriated in 2013 Acts and Resolves No. 51, Sec. 2, as amended by 2014 Acts and Resolves No. 178, Sec. 1, and Sec. 28 of this act, shall only become available to the Department of Buildings and General Services after the Secretary of Human Services notifies the Commissioner of Finance and Management that the examination described in subsection (a) of this section is completed.

(c) On or before February 1, 2016, the Secretary of Human Services shall present the results of the examination described in subsection (a) of this section to the House Committees on Appropriations, on Corrections and Institutions, and on Human Services, and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions.

Sec. 31. 29 V.S.A. § 156 is added to read:

§ 156. CITY OF MONTPELIER DISTRICT HEAT PLANT  
MAINTENANCE RESERVE FUND

(a) There is established a special fund pursuant to 32 V.S.A. chapter 7, subchapter 5 known as the City of Montpelier District Heat Plant Maintenance Reserve Fund.

(b) The Fund shall comprise payments from the City of Montpelier for the City's share of the maintenance of the District Heat Plant.

(c) Monies in the Fund shall be available to the Commissioner of Buildings and General Service for the maintenance of the District Heat Plant upon commencement of the District Heat Plant's operations.

(d) The Commissioner of Finance and Management may draw warrants for disbursements from this Fund in anticipation of receipts. Any remaining balance at the end of the fiscal year shall be carried forward in the Fund.

Sec. 32. LAND TRANSFER; DUXBURY; MEMORANDUM OF UNDERSTANDING

(a) The Commissioner of Forests, Parks, and Recreation may enter into a memorandum of understanding (MOU) with the Town of Duxbury regarding the Town's use of any State-owned parcel in Camel's Hump State Park that may be conveyed to the Town.

(b) On or before January 15, 2016, the Commissioner of Forests, Parks and Recreation shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the status of the MOU described in subsection (a) of this section.

\* \* \* Education \* \* \*

Sec. 33. SCHOOL CONSTRUCTION AID AWARDS

It is the intent of the General Assembly that the House Committees on Corrections and Institutions and on Education, and the Senate Committees on Institutions and on Education develop a plan to evaluate strategically the statutory process set forth in 16 V.S.A. § 3448 for awarding State aid for school construction.

Sec. 34. VERMONT INTERACTIVE TECHNOLOGIES

(a) On or before January 15, 2016, the Secretary of Administration and the Executive Director of the Vermont Interactive Technologies (VIT), or its successor entity, shall examine and submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the ownership of all VIT property funded in whole or in part by a capital construction act.

(b) During the 2016 legislative session, the General Assembly shall determine the ownership of VIT's property based on the report described in subsection (a) of this section. No State or private entity shall assume ownership of the property until the General Assembly makes this determination.

\* \* \* Information Technology \* \* \*

Sec. 35. JUDICIARY; CASE MANAGEMENT SYSTEM; REPORT

Prior to finalizing vendor selection for the case management system described in Sec. 5 of this act, the Judiciary shall present a report to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Legislative Criminal Justice Oversight Committee established in the Fiscal Year 2016 Appropriations Act. The report shall include a description of the Judiciary's process and rationale for choosing the vendor, whether the Judiciary incorporated any recommendations from the Special Committee on the Utilization of Information Technology in Government established in the Fiscal Year 2016 Appropriations Act, and whether any efforts were made to integrate the case management system with any systems implemented by the Department of State's Attorneys and Sheriffs and the Office of the Defender General. The reporting requirement of this section may be satisfied by providing testimony to the Committees.

#### Sec. 36. INFORMATION TECHNOLOGY REVIEW

(a) The Executive Branch shall transfer, upon request, one vacant position for use in the Legislative Joint Fiscal Office (JFO) for a two-year staff position, or the JFO shall hire a consultant, to provide support to the General Assembly to conduct independent reviews of State information technology projects and operations.

(b) The Secretary of Administration and the Chief Information Officer shall:

(1) provide to the JFO access to the reviews conducted by Independent Verification and Validation (IVV) firms hired to evaluate the State's current and planned information technology project, as requested; and

(2) ensure that IVV firms' contracts allow the JFO to make requests for information related to the projects that they are reviewing and that such requests are provided to the JFO in a confidential manner.

(c) The JFO shall enter into a memorandum of understanding with the Executive Branch relating to any work conducted by IVV firms that shall protect security and confidentiality.

(d) In fiscal years 2016 and 2017, the JFO is authorized to use up to \$250,000.00 of the amounts appropriated in Sec. 3(b) and (c) of this act to fund activities described in this section.

(e) On or before January 15, 2017, the Secretary of Administration and the JFO shall submit reports to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the effectiveness of the position described in subsection (a) of this section and whether the process of conducting independent legislative reviews of State information technology

projects and operations should be continued.

\* \* \* Judiciary \* \* \*

Sec. 37. LAMOILLE COUNTY COURTHOUSE; MEMORANDUM OF UNDERSTANDING; OPERATING AGREEMENT

(a) The Department of Buildings and General Services and the Lamoille County side judges, in consultation with the Judiciary, shall enter into a Memorandum of Understanding (MOU) regarding the construction, operation, and maintenance of the Lamoille County Courthouse. The MOU shall establish:

(1) the procedures for the operation of the Courthouse and the division of responsibilities between the State and the County; and

(2) the legal framework for ensuring that the State maintains an ownership interest in the new additions to the Courthouse, and receives a percentage of the sale price, or value in the building, equal to the percentage of capital funding appropriated to the Courthouse in the event the County decides to sell the building or to cease operations of the building as a Courthouse, or the State ceases to use the Courthouse for Superior Court functions.

(b) Any amounts repaid to the State under subsection (a) of this section shall not be in excess of the amount of the original State capital appropriation, and shall be appropriated to future capital construction acts.

(c) The Judiciary and the Lamoille County side judges shall enter into an operating agreement regarding the internal functions and use of space within the Lamoille County Courthouse.

(d) The MOU described in subsection (a) of this section and the operating agreement described in subsection (b) of this section shall be executed prior to the State's occupancy of the Courthouse.

\* \* \* Military \* \* \*

Sec. 38. DEPARTMENT OF MILITARY; CEMETERY EXPANSION PROJECT

The Department of Military may accept federal grants, gifts, or donations to support the cemetery expansion project at the Vermont Veterans' Memorial Cemetery in Randolph, Vermont.

\* \* \* Natural Resources \* \* \*

Sec. 39. 24 V.S.A. § 4753a(e) is amended to read:

(e) Loan forgiveness; drinking water.

(1) Notwithstanding any other provision of law regarding loan

forgiveness, upon the award of a loan from the Vermont Environmental Protection Agency Drinking Water State Revolving Fund (DWSRF), the Secretary of Natural Resources, in a manner that is consistent with federal grant provisions, may forgive up to 100 percent of a loan if the award is made for a project on the priority list and the project is capitalized, at least in part, from funds derived from a federal DWSRF capitalization grant that includes provisions authorizing loan forgiveness. Such loan forgiveness shall be based on the loan value, but funds to be forgiven shall only consist of federal funds, except where the loan is used as a match to other federal grants requiring nonfederal funds as a match.

(2) Notwithstanding any other provision of law regarding loan forgiveness, upon the award of a loan from the Vermont Drinking Water State Revolving Loan Fund, the Secretary of Natural Resources may provide loan forgiveness for preliminary engineering and final design costs when a municipality undertakes such engineering on behalf of a household that has been disconnected involuntarily from a public water supply system for reasons other than nonpayment of fees, provided it is not the same municipality that is disconnecting the household.

Sec. 40. 24 V.S.A. § 4755(a) is amended to read:

(a) Except as provided by subsection (c) of this section, the bond bank may make loans to a municipality on behalf of the ~~state~~ State for one or more of the purposes set forth in section 4754 of this chapter. Each of such loans shall be made subject to the following conditions and limitations:

(1) no loan shall be made for any purpose permitted under this chapter other than from the revolving fund in which the same purpose is included;

(2) the total amount of loan out of a particular revolving fund shall not exceed the balance of that fund;

(3) the loan shall be evidenced by a municipal bond, payable by the municipality over a term not to exceed ~~20~~ 30 years; or the projected useful life of the project, which is less, except:

(A) and without there shall be no deferral of payment except as provided, unless authorized by 10 V.S.A. §§ 1624(b) and § 1624a, or;

(B) the term of the loan shall not exceed 20 years when required by 10 V.S.A. § 1624(b); and

(C) the loan may be evidenced by any other permitted debt instrument payable as permitted by chapter 53 of this title;

\* \* \*

Sec. 41. 24 V.S.A. § 4756 is amended to read:

§ 4756. ELIGIBILITY CERTIFICATION

(a) No construction loan or loan for the purchase of land or conservation easements to a municipality shall be made under this chapter, nor shall any part of any revolving fund which is designated for project construction be expended under section 4757 of this title, until such time as:

\* \* \*

(b) The bond bank may make loans to a municipality for the preparation of final engineering plans and specifications subject to the following conditions and limitations:

(1) The loan shall be evidenced by a note, executed by the municipality, payable over a term not to exceed ~~20~~ 30 years at zero percent interest in equal annual payments.

(2) The ~~secretary of natural resources~~ Secretary of Natural Resources shall have certified to the bond bank that the project:

(A) has priority for award of a planning loan;

(B) for which final engineering plans are to be prepared, is described in a preliminary engineering plan or facilities plan that has been approved by the ~~secretary~~ Secretary; and

(C) is in conformance with applicable ~~state~~ State and federal law and regulations promulgated thereunder.

\* \* \*

\* \* \* Public Safety \* \* \*

Sec. 42. TRAINING CENTER; FINDINGS, PURPOSE, AND INTENT

(a) The General Assembly finds that the Robert H. Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont (the Training Center) is an asset to the State because it provides multiple agencies with the space to train people who protect the lives of Vermonters. These agencies presently include the Vermont Criminal Justice Training Council, the Vermont Fire Service Training Council, the Department of Public Safety, the Department of Corrections, and the Department of Motor Vehicles.

(b) The purpose of Sec. 43 of this act is to create a committee to govern the access to, the use and future needs of, and the capital investments in Training Center facilities so that agencies continue to enjoy access to it and so that members of the public may also be able to use the Training Center. While this committee is established to oversee Training Center facilities, it is the General



Assembly's intent that this committee shall not have jurisdiction over any training content provided at the Training Center.

Sec. 43. 29 V.S.A. chapter 19 is added to read:

CHAPTER 19. TRAINING CENTER GOVERNANCE COMMITTEE

§ 841. COMMITTEE CREATION

(a) Creation. There is created the Training Center Governance Committee to manage access to the facilities of the Robert H. Wood Jr. Criminal Justice and Fire Service Training Center of Vermont (Training Center), located in Pittsford, Vermont.

(b) Membership. The Committee shall be composed of the following eight members:

(1) the Executive Director of the Vermont Criminal Justice Training Council;

(2) the Chair of the Vermont Fire Service Training Council;

(3) an employee of the Department of Buildings and General Services, appointed by the Commissioner of the Department;

(4) the Chair of the Vermont Criminal Justice Training Council;

(5) the Chief Training Officer of the Vermont Fire Academy;

(6) an employee of the Department of Corrections, appointed by the Commissioner of the Department;

(7) the Director of the Division of Fire Safety; and

(8) a member of the State Police, appointed by the Commissioner of Public Safety.

(c) Powers and duties. The Committee shall:

(1) Use and access. Govern the use of and access to the Training Center. In so governing, the Committee shall take into consideration the needs of the State's various agencies and members of the public in using the Training Center's facilities.

(2) Future needs and capital investments.

(A) plan for the future capital needs of the Training Center;

(B) submit a capital program plan to the Department of Buildings and General Services for the capital construction bill set forth in 32 V.S.A. § 701a and report to the General Assembly as necessary on any recommended legislative action for capital needs; and

(C) on an ongoing basis, monitor the effectiveness of any capital investments related to training needs.

(3) Performance analysis. Establish policies to ensure the facility training needs of those persons that use the Training Center are cost-effectively met, and establish performance measures for assessing on an ongoing basis how well those needs are met.

(4) Budget and rates.

(A) manage the operating budget for the facilities at the Training Center;

(B) set the rates for use of space at the Training Center;

(C) enter into and administer new contracts on behalf of the Training Center regarding the operations of the Training Center; and

(D) develop approaches to budgeting and paying for space that encourage collaboration among those persons that use the Training Center, and address future major maintenance needs.

(d) Meetings.

(1) The Committee shall meet no fewer than four times per year.

(2) A majority of the membership shall constitute a quorum.

(3) The Committee shall elect a chair and may adopt rules of procedure.

(e) Reimbursement. Members of the Committee who are not employees of the State and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010.

Sec. 44. INITIAL MEETING OF GOVERNANCE COMMITTEE;  
TRANSITIONAL PROVISION

(a) The Commissioner of Buildings and General Services shall call the initial meeting of the Training Center Governance Committee set forth in Sec. 43 of this act, to be held on or before September 30, 2015.

(b) The Training Center Governance Committee shall be responsible for requests for use of the Robert H. Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont made on and after the initial Committee meeting, but shall permit any scheduled use of the Training Center made prior to that date.

(c) The Training Center Governance Committee shall have access to any contracts regarding the operations of the Training Center that are in existence

prior to the date of the initial Committee meeting.

Sec. 45. TRAINING CENTER GOVERNANCE COMMITTEE; REPORT

On or before February 1, 2016, the Training Center Governance Committee set forth in Sec. 43 of this act shall report to the General Assembly regarding the operation of its powers and duties to date and recommend any further legislative action it finds necessary.

\* \* \* Security \* \* \*

Sec. 46. STATE HOUSE SECURITY

(a) The Sergeant at Arms, in consultation with the Chair of the Capitol Complex Working Group established in 2014 Acts and Resolves No. 178, Sec. 26, is authorized to create a security and safety protocol for the State House, conduct trainings for the State House and One Baldwin Street, and install security cameras at the exterior entrances of the State House. The Sergeant at Arms may retain consultant services to complete the work described in this subsection. Any consultants retained pursuant to this subsection shall be hired by the Joint Fiscal Office and shall work through the Joint Fiscal Office under the direction of the Sergeant at Arms and the Chair of the Working Group.

(b) The Sergeant at Arms is authorized to use funds appropriated in 2013 Acts and Resolves No. 51, Sec. 2(c)(17), as amended by 2014 Acts and Resolves No. 178, Sec. 1 and Sec. 20(b) of this act, to directly conduct the work described in subsection (a) of this section or retain consultant services through the Joint Fiscal Office to conduct the work described in subsection (a) of this section.

(c) Prior to the installation, the Sergeant at Arms, in consultation with the Chair of the Working Group, shall establish a policy for the use of the security cameras described in subsection (a) of this section. The policy shall include requirements on limiting access rights to the camera and video feed, and retaining video feed.

\* \* \* Effective Dates \* \* \*

Sec. 47. EFFECTIVE DATES

This act shall take effect on passage, except that:

(1) Sec. 24b shall take effect on July 1, 2017; and

(2) Sec. 24d shall take effect on July 1, 2016.

(For text see House Journal 4/2/2015 )

## NEW BUSINESS

### Third Reading

#### H. 434

An act relating to law enforcement and fire service training safety

#### S. 7

An act relating to bail determinations concerning a defendant charged with lewd and lascivious conduct with a child

#### S. 29

An act relating to election day registration

#### S. 138

An act relating to promoting economic development

#### **Amendment to be offered by Rep. Browning of Arlington to S. 138**

First: By adding Sec. F.10 to read as follows:

Sec. F.10 REPORT ON WATER QUALITY COMPLIANCE AS

CONDITION OF ELIGIBILITY FOR STATE ECONOMIC

ASSISTANCE

(a) On or before January 15, 2016, the Secretary of Administration, after consultation with the Secretary of Natural Resources and the Secretary of Commerce and Community Development, shall submit to the Senate Committee on Economic Development, Housing and General Affairs, the House Committee on Commerce, the Senate Committee on Natural Resources, and the House Committee on Fish, Wildlife and Water Resources a report regarding whether compliance with water quality requirements should be a condition of eligibility for the award of any or all State economic development assistance. The report shall include:

(1) a recommendation of whether any or all State economic development assistance should be conditioned on an applicant's good standing with the State with regard to State water quality requirements;

(2) a recommendation of whether any or all State economic development assistance should be conditioned on an applicant's history of compliance with State or federal water quality requirements;

(3) a recommendation of whether any or all State economic development assistance should be conditioned on compliance with State or federal water quality requirements if the applicant is located in a watershed of

the State that is listed by the Agency of Natural Resources under 33 U.S.C. § 1313 as impaired due to phosphorus, nutrients, or sediment;

(4) a summary of how conditioning eligibility for economic development assistance on good standing with water quality requirements, compliance history, or location in an impaired watershed would be implemented by State agencies, including how an applicant will certify good standing, how a State agency shall determine an applicant's compliance history, and how a State agency shall determine the location of the applicant; and

(5) any other factors or issues that the Secretary determines relevant to the report.

(b) As used in this section:

(1) "Economic development assistance" includes grants or loans from a water quality program administered by the Agency of Agriculture, Food and Markets, the Agency of Commerce and Community Development, or the Agency of Natural Resources.

(2) "Good standing" means the applicant:

(i) does not have an active enforcement violation that has reached a final order with the Secretary of Natural Resources or the Secretary of Agriculture, Food and Markets; or

(ii) is in compliance with all terms of a current permit, license, grant agreement, or contract with the Agency of Natural Resources or the Agency of Agriculture, Food and Markets.

Second: In Sec H.1, by adding subdivision (b)(13) to read as follows:

(13) Sec. F.10 (report on economic development assistance; water quality).

## **J.R.S. 20**

Joint resolution relating to the Vermont Student Assistance Corporation's lending authority