

**H.492, as Passed by Senate Institutions**  
**Sec.-by-Sec. Summary**  
**Fiscal Year 2016–2017 Capital Budget**

**Sec. 1. *Legislative Intent.*** Sets out the two-year capital budgeting process

- Appropriates no more than \$80,068,449.00 in the first year of biennium, and the rest of \$157,207,752.00 of funds authorized is appropriated in the second year of the biennium.
- Sets out that there will be a Capital Budget Adjustment bill in FY 2017.
- FY 2016 appropriations are subject to budget adjustment unless otherwise indicated.

**Secs. 2–20. *Appropriations.*** Appropriates funds for capital construction projects. Specific appropriations are shown in the accompanying spreadsheet.

- Sec. 2. (State Buildings)
  - Appropriates to the Department of Buildings and General Services (BGS) \$16,210,287.00 over FY 16 and FY 17 to repair and upgrade State buildings.
  - Appropriates \$19,431,385.00 to the Agency of Agriculture, Food and Markets' and Agency of Natural Resources' laboratory over FY 16 and FY 17.
    - *Related Section:* Sec. 24 authorizes BGS to enter into a ground lease or similar legal instrument with the Vermont Technical College for the laboratory.
  - Appropriates \$4,129,086.00 over FY 16 and FY 17 to the Southern State Correctional Facility for steamline replacement and copper waterline replacement and project-related costs.
  - Appropriates \$19,151,826.00 in FY 16 to the Waterbury State Office Complex for restoration and project-related costs.
- Sec. 3. (Administration)
  - Appropriates \$250,000.00 over FY 16 and FY 17 to the Department of Taxes for the VT Center for Geographic Information to continue to update the State tax map through digital technology.
  - Appropriates \$14,267,470.00 over FY 16 and FY 17 to the Department of Finance and Management for the ERP expansion project.
  - Appropriates \$6,000,000.00 in FY 17 to the Agency of Human Services for the Health and Human Services Enterprise IT System.
    - *Related Section:* Sec. 36 directs the Executive Branch to transfer one vacant position to the JFO for a two-year staff position, or directs JFO to hire a consultant, to conduct independent reviews of State IT projects and operations for the General Assembly. Also requires the Secretary of Administration and the Chief Information Officer to provide

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JFO with access to the reviews conducted by Independent Verification and Validation firms hired to evaluate the State's IT projects in a confidential and secure manner.

- Sec. 4. (Human Services) appropriates \$500,000.00 to BGS over FY 16 and FY 17 for the Agency of Human Services for various corrections projects.
- Sec. 5. (Judiciary)
  - Appropriates \$180,000.00 in FY 16 to the Department of Buildings and General Services for the Judiciary for ADA compliance at county courthouses.
  - Appropriates \$300,000.00 over FY 16 and FY 17 to the Judiciary for statewide security systems and improvements.
  - Appropriates \$5,750,000 over FY 16 and FY 17 to the Judiciary for the judicial case management system.
    - *Related Sections:*
      - Sec. 27 requires the Judiciary, in consultation with the Department of Buildings and General Services, to evaluate the responsibility for maintenance and ownership of county courthouses and to report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions by January 15, 2016.
      - Sec. 35 requires the Judiciary to report to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Legislative Criminal Justice Oversight Committee prior to selecting a vendor for the case management system.
- Sec. 6. (Commerce and Community Development)
  - Appropriates \$400,000.00 over FY 16 and FY 17 to perform major maintenance at State historic sites.
  - Appropriates \$90,000.00 over FY 16 and FY 17 to preserve underwater historic sites and provide roadside historic markers.
  - Appropriates \$168,000.00 over FY 16 and 17 for repairs at the Bennington Monument.
  - Appropriates \$30,000.00 in FY 16 for the unmarked burial fund.
- Sec. 7. (Grant Programs) appropriates over FY 16 and FY 17 \$3,160,000.00 to the Building Communities Grants Programs and the Agricultural Fairs Capital Projects Facilities Competitive Grant Program.

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- Sec. 8. (Education)
  - Appropriates \$3,975,500.00 in FY 16 to complete the State's share of school construction.
    - *Related Section:* Sec. 33 directs the House Committees on Corrections and Institutions and on Education, and the Senate Committees on Education and on Institutions to develop a plan to evaluate strategically the statutory process set forth in 16 V.S.A. § 3448 for awarding State aid for school construction.
  - Appropriates \$142,188.00 in FY 16 and FY 17 to the Agency of Education for emergency projects.
- Sec. 9. (University of Vermont) appropriates \$2,800,000.00 over FY 16 and FY 17 for major maintenance.
- Sec. 10. (Vermont State Colleges)
  - Appropriates \$2,800,000.00 over FY 16 and FY 17 for major maintenance.
  - Appropriates \$1,000,000.00 in FY 16 to upgrade the engineering technology laboratories at the Vermont Technical College.
  - Appropriates \$500,000.00 in FY 17 for a challenge grant to be used to raise funds to upgrade the engineering technology laboratories at the Vermont Technical College.
- Sec. 11. (Natural Resources) appropriates \$26,724,601.00 over FY 16 and FY 17 to the Agency of Natural Resources for projects, including the State match to federal grants for water, dam maintenance, rehabilitation at State parks, interest and principal payments for the Pownal project, and upgrades of a phosphorous removal facility in Waterbury.
  - *Related Sections:*
    - Sec. 39 authorizes the Secretary of Natural Resources to provide loan forgiveness for preliminary engineering and final design costs for loans awarded from the Vermont Drinking Water State Revolving Loan Fund, under certain circumstances.
    - Secs. 40–41 extend the term of a municipal loan used to acquire, design, plan, construct, enlarge, repair, or improve a publicly owned sewage system, sewage treatment or disposal plant, pollution control facility, water supply, water system, or solid waste handling and disposal facility, or certain privately owned wastewater systems from 20 to 30 years.
- Sec. 12. (Military)
  - Appropriates \$1,500,000.00 over FY 16 and FY 17 for maintenance and renovations at State armories, including roof projects, design

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- and construction of locker space, ADA compliance, bathroom upgrades, and necessary site work and paving projects.
- Appropriates \$59,759.00 in FY 16 for agricultural mitigation for the cemetery expansion project.
  - *Related section:* Sec. 38 authorizes the Department of Military to accept federal grants, gifts, or donations to support the cemetery expansion project at the Vermont Veterans' Memorial Cemetery.
- Sec. 13. (Public Safety) appropriates \$300,000.00 in FY 16 to BGS for the State's share of the new burn building at the Vermont Fire Academy.
- Sec. 14. (Agriculture, Food and Markets)
  - Appropriates \$3,552,412.00 over FY 16 and FY 17 to the Agency of Agriculture, Food and Markets for the best management practice implementation cost share program and the conservation reserve enhancement program.
  - Appropriates \$315,000.00 over FY 16 and FY 17 for building upgrades to the Vermont Exposition Center Building.
  - Appropriates \$250,000.00 in FY 16 to the Agency of Agriculture, Food and Markets for community and nonprofit agricultural water quality projects, and requires the Secretary to report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the projects funded from this appropriation.
- Sec. 15. (Vermont Rural Fire Protection) appropriates \$250,000.00 over FY 16 and FY 17 to the Department of Public Safety for the dry hydrant program.
- Sec. 16. (Vermont Veterans' Home) appropriates \$500,000.00 in FY 16 to the Veterans' Home for an electronic medical records system, and requires that the funds only become available once the Veterans' Home notifies the Chairs of the House Committee on Corrections and Institutions and of the Senate Committee on Institutions and the Commissioner of Finance and Management, that the system is in compliance with 18 V.S.A. § 9352(i).
- Sec. 17. (Vermont Historical Society) appropriates \$50,000.00 in FY 16 to the Vermont Historical Society for a matching grant to reduce debt at the Vermont History Center in Barre.

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- Sec. 18. (Vermont Housing and Conservation Board)
  - Appropriates \$7,350,000.00 over FY 16 and FY 17 to the Vermont Housing Conservation Board for housing development and conservation projects.
  
- Sec. 19. (Vermont Interactive Technologies)
  - Appropriates \$220,000.00 in FY 16 to the Vermont State Colleges on behalf of VIT for all costs associated with the dissolution of VIT's operations.
    - *Related Section:* Sec. 34 directs the Secretary of Administration and the Executive Director of the VIT, or its successor entity, to examine and 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. No entity shall assume ownership of the property until the General Assembly determines ownership rights during the 2016 legislative session.
  
- Sec. 20. (Legislature)
  - Appropriates \$120,000 in FY 16 to the Office of Legislative Council budget on behalf of the Senate Secretary's Office and the House Clerk's Office for upgrades to the legislative IRC program.
  - Appropriates \$5,000,000.00 to the Sergeant at Arms for security upgrades to the State House.
    - *Related Section:* Sec. 34 authorizes the Sergeant at Arms, in consultation with the Chair of the Capitol Complex Security Working Group, to create a security and safety protocol and conduct trainings for the State House and One Baldwin Street. The Sergeant at Arms is also authorized to install security cameras at the exterior entrances of the State House. Also requires that the Sergeant at Arms, in consultation with the Chair of the Capitol Complex Security Working Group, create a policy for use of the security cameras prior to installation.

**Sec. 21. *Reallocations.*** Reallocates \$1,648,656.08 in funds that were realized from the sale of State properties, transferred from special funds or authorized in former capital bills but never spent.

**Sec. 22. *General Obligation Bonds and Appropriations.*** Authorizes the State Treasurer to issue general obligation bonds in the amount of \$144,000,000.00 as recommended by the Capital Debt Affordability Advisory Committee for FY 16 and FY 17, and an additional \$11,559,096.05 in general obligation bonds authorized in 2014 but never issued.

**Sec. 23. *Leasing Property; Fair Market Value.*** Sets out the intent that any State-owned space in any State-owned building, structure, or other real

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property under the jurisdiction of the Commissioner of BGS that are in existence prior to the effective date of this act shall be renewed at fair market value by July 1, 2018. Also requires the Commissioner of BGS to evaluate whether to sell any State-owned property that is being leased under fair market value.

**Sec. 24. *Agency of Agriculture, Food and Markets' and Agency of Natural Resources' Laboratory.*** Authorizes BGS to enter into a ground lease or other similar legal instrument with the Vermont Technical College for the purpose of locating the Agency of Agriculture, Food and Markets' and Agency of Natural Resources' laboratory.

**Sec. 25. *Naming of State Buildings and Facilities.*** Directs the Commissioner of BGS and the State Librarian to recommend to the House Committee on Corrections and Institutions and the Senate Committee on Institutions the appropriate State agency or department to name State buildings and facilities by January 15, 2016.

**Sec. 26. *Amends 29 V.S.A. § 821(a) (Naming State Buildings).*** Names the Agency of Agriculture, Food and Markets' and the Agency of Natural Resources' laboratory the "Vermont Agriculture and Environmental Laboratory."

**Sec. 27. *Amends 2014 Acts and Resolves No. 178, Sec. 37 (County Courthouses; Plan).*** Amends Act 178 to require the Judiciary, in consultation with the Department of Buildings and General Services, to evaluate the responsibility for maintenance and ownership of county courthouses, whether an emergency fund is necessary for construction or renovation projects at county courthouses, and parameters for determining the county's share of maintaining county courthouses in the future. Also amends the date of the reporting requirement to the House Committee on Corrections and Institutions and the Senate Committee on Institutions to January 15, 2016.

**Sec. 28. *Amends 2014 Acts and Resolves No. 178, Sec. 17, amending 2011 Acts and Resolves No. 40, Sec. 26(c) (195 Colchester Avenue).*** Amends the 2011 Capital bill to allow the Commissioner of BGS to convey by quitclaim deed any interest in the building at 195 Colchester Avenue as is and with no warranties or representations as to conditions to UVM.

**Sec. 29. *Amends 2014 Acts and Resolves No. 178, Sec. 1, amending 2013 Acts and Resolves No. 51, Sec. 2 (Secure Residential Facilities).*** Amends the 2013 appropriation to BGS for the secure residential facilities by changing the use of funds to a proposal for siting only (and not for design).

**Sec. 30. *Secure Residential Facility; Plan for Siting and Design.*** Directs the Secretary of Human Services to examine the needs of AHS for siting and

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designing a secure residential facility, and requires the Secretary to present the results to the House Committees on Appropriations, on Corrections and Institution, and on Human Services, and the Senate Committees on Appropriations, on Health and Welfare, and on Institutions, by February 1, 2016.

**Sec. 31. *Adds 29 V.S.A. § 156 (City of Montpelier District Heat Plant Maintenance Reserve Fund).*** Establishes a special fund, known as the City of Montpelier District Heat Plant Maintenance Reserve Fund, to hold payments from the City of Montpelier for the City's share of the maintenance costs for the District Heat Plant.

**Sec. 32. *Land Transfer; Duxbury; Memorandum of Understanding.*** Directs the Commissioner of Forests, Parks and Recreation to enter into an 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. Also requires the Commissioner to report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions by January 15, 2016 on the status of the MOU.

**Sec. 33. *School Construction Aid Awards.*** Directs the House Committees on Corrections and Institutions and on Education and the Senate Committees on Institutions and on Education to 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.*** Directs the Secretary of Administration and the Executive Director of the VIT, or its successor entity, to examine and 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. No entity shall assume ownership of the property until the General Assembly determines ownership rights during the 2016 legislative session.

**Sec. 35. *Judiciary; Case Management System; Report.*** Requires the Judiciary to report to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Legislative Criminal Justice Oversight Committee prior to selecting a vendor for the case management system.

**Sec. 36. *Information Technology Review.*** Directs the Executive Branch to transfer one vacant position to the JFO for a two-year staff position, or directs JFO to hire a consultant, to conduct independent reviews of State IT projects and operations for the General Assembly. Also requires the Secretary of Administration and the Chief Information Officer to provide JFO with access

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to the reviews conducted by Independent Verification and Validation firms hired to evaluate the State's IT projects in a confidential and secure manner.

**Sec. 37. *Lamoille County Courthouse; Memorandum of Understanding; Operating Agreement.*** Requires BGS and the Lamoille County side judges, in consultation with the Judiciary, to enter into an MOU regarding the construction, operation, and maintenance of the Lamoille County courthouse. Also requires the Judiciary and the Lamoille County side judges to enter into an operating agreement regarding the internal functions and use of space within the courthouse. Also requires that the MOU and operating agreement are entered into prior to the State's occupancy of the Courthouse.

**Sec. 38. *Department of Military; Cemetery Expansion Project.*** Authorizes the Department of Military to accept federal grants, gifts, or donations to support the cemetery expansion project at the Vermont Veterans' Memorial Cemetery.

**Secs. 39–41. *Drinking Water.***

- Sec. 39 (Amends 24 V.S.A. § 4753a(e)) authorizes the Secretary of Natural Resources to provide loan forgiveness for preliminary engineering and final design costs for loans awarded from the Vermont Drinking Water State Revolving Loan Fund, under certain circumstances.
- Secs. 40–41 (Amends 24 V.S.A. § 4755(a) and 24 V.S.A. § 4756) extends the term of a municipal loan used to acquire, design, plan, construct, enlarge, repair, or improve a publicly owned sewage system, sewage treatment or disposal plant, pollution control facility, water supply, water system, or solid waste handling and disposal facility, or certain privately owned wastewater systems from 20 to 30 years.

**Secs. 42–45. *Robert H. Wood, Jr. Criminal Justice and Fire Service Training Center.***

- Sec. 42 (Training Center; Findings; Purpose and Intent) sets forth the multiple agencies that use the Training Center and the purpose of creating a committee to govern access to and use of the Training Center. Also provides that the new governance committee shall not have jurisdiction over any training content provided at the Training Center.
- Sec. 43 (Adds 29 V.S.A. chapter 19) creates an eight-member governance committee for the Robert H. Wood Criminal Justice and Fire Service Training Center.
- Sec. 44 (Initial Meeting of Governance Committee; Transitional Provision) authorizes the Commissioner of BGS to call the initial



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meeting of the governance committee and sets forth the Training Center's responsibilities after the initial meeting to assist with transitioning to the new model.

- Sec. 45 (Training Center Governance Committee; Report) requires the governance committee to submit a report to the General Assembly regarding the operation of its powers and duties, and to recommend any further legislative action, by February 1, 2016.

**Sec. 46. *State House Security.***

- Authorizes the Sergeant at Arms, in consultation with the Chair of the Capitol Complex Security Working Group, to create a security and safety protocol and conduct trainings for the State House and One Baldwin Street. Sergeant at Arms is also authorized to install security cameras at the exterior entrances of the State House.
- Authorizes the Sergeant at Arms to conduct the work described in the section directly or through a consultant. Any consultant hired would work through the JFO at the direction of the Sergeant at Arms and the Chair of the Working Group.
- Authorizes the Sergeant at Arms to use remaining funds from 2014 Acts and Resolves No. 178, Sec. 1 and funds appropriated in Sec. 20(b) of the act.
- Requires that the Sergeant at Arms, in consultation with the Chair of the Capitol Complex Security Working Group, create a policy for use of the security cameras prior to installation.

**Sec. 47. *Effective Date.***

- The act takes effect on passage.