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Act No. 190 (H.923). Appropriations and finance; bonding; capital construction; budget adjustment; State buildings

An act relating to capital construction and State bonding budget adjustment

This act adjusts the second year of the State's biennial capital budget for fiscal years 2018 and 2019, and authorizes the State to issue \$10,936,961 of additional general obligation bonds that were authorized but not issued in fiscal year 2018.

This act also:

Appropriations

- Appropriates capital funds in the amount of \$161,336,502 over two years for capital construction projects, including the following appropriations:
 - \$6,000,000 to the Department of Buildings and General Services in fiscal year 2018 and \$6,900,000 in fiscal year 2019 for statewide major maintenance projects
 - \$1,968,000 to the Department of Buildings and General Services in fiscal year 2019 for 120 State Street for life safety and infrastructure improvements
 - \$2,181,094 to the Department of Buildings and General Services in fiscal year 2018 for 108 Cherry Street for parking garage repairs
 - \$1,050,000 to the Department of Buildings and General Services in fiscal year 2019 for the Asa Bloomer building for the rehabilitation of system components and a planning and use study
 - \$1,400,000 to the Department of Buildings and General Services in fiscal year 2019 for the State office building in Springfield for the repair of the retaining wall
 - \$600,000 to the Department of Buildings and General Services for the Agency of Human Services in fiscal year 2019 for renovations and beds for therapeutic placement at the Chittenden County Regional Correctional Facility and the Northwest State Correctional Facility
 - \$500,000 to the Department of Buildings and General Services for the Agency of Human Services in fiscal year 2019 for design and construction documents for the Woodside Juvenile Rehabilitation Center

- \$4,500,000 to the Department of Buildings and General Services for the Agency of Human Services in fiscal year 2019 for the renovation and fit-up of the Brattleboro Retreat
- \$300,000 to the Department of Buildings and General Services for the Agency of Human Services in fiscal year 2019 for an addition and renovations at the Serenity House
- \$1,496,398 to the Judiciary in fiscal year 2019 for the IT case management system
- \$400,000 to the Enhanced 911 Board in fiscal year 2019 for the Enhanced 911 Compliance Grants Program for school safety
- \$1,650,000 to the University of Vermont in fiscal year 2019 for construction, renovations, and major maintenance
- \$3,000,000 to the Vermont State Colleges in fiscal year 2019 for construction, renovations, and major maintenance
- \$1,400,000 to the Agency of Agriculture, Food, and Markets in fiscal year 2019 for phosphorus removal equipment
- \$3,760,000 to the Department of Environmental Conservation in fiscal year 2019 for the Standard EcoSystem Restoration and Protection programs
- \$3,090,000 to the Department of Environmental Conservation in fiscal year 2019 for Municipal Roads Grant-in-Aid
- \$2,000,000 to the Department of Environmental Conservation in fiscal year 2019 for Multi-Sector Clean Water Block Grants
- \$200,000 to the Department of Environmental Conservation in fiscal year 2019 for Lake Carmi for an aeration system or artificial circulation, or both
- \$2,400,000 to the Agency of Transportation in fiscal year 2019 for the Municipal Mitigation Assistance Program
- \$100,000 to the Agency of Transportation in fiscal year 2019 for the Downtown Transportation Fund pilot project
- \$4,000,000 to the Department of Public Safety for the School Safety and Security Grant Program in fiscal year 2019
- \$400,000 to the Department of Labor for the Adult Career and Technical Education Equipment Grant Pilot Program in fiscal year 2019 to provide equipment to support adult tech programs
- \$15,000 to the Sergeant at Arms in fiscal year 2019 to contract with a third party to conduct an assessment of the State House sound system

- \$900,000 to the Department of Public Service VTA wireless network in fiscal year 2019
- \$393,000 to the Department of Public Service for the Northeast Kingdom Fiber Network in fiscal year 2019 for fiber access point construction

This act also does the following:

Clean Water Initiatives

- Authorizes the Commissioner of Environmental Conservation to use up to \$1,400,000 of the amount appropriated for the Standard EcoSystem Restoration and Protection Programs to support capital-eligible clean water projects for Lake Carmi
- Authorizes the Commissioner of Forests, Parks and Recreation to use up to \$50,000 for the Standard EcoSystem Restoration and Protection Programs to support skidder bridges
- Amends the FY 2018 and FY 2019 appropriation to the Vermont Housing and Conservation Board for water quality improvement grants by clarifying that these grants are not subject to a cost-share requirement
- Adds a cost share requirement to the phosphorus removal grant funds of at least 20 percent and caps grants at \$300,000

Corrections

- Directs the Department of Buildings and General Services to construct a therapeutic environment, including three beds at the Chittenden County Regional Correctional Facility and ten or more beds in the Alpha unit at the Northwest State Correctional Facility, for persons under the custody of the Department of Corrections who do not meet the clinical criteria for inpatient hospitalization but would benefit from therapeutic placement
- Amends the procedure for appointing legislative members to the State Council on Adult Offender Supervision

Department of Buildings and General Services

- The Commissioner of Buildings and General Services:
 - shall prepare and submit a report with 20-year economic projections on whether to sell 108 Cherry Street or renovate it and use it as State office space
 - shall evaluate proposals for a generator, including the use of a generator or battery backup, and notify the Capitol Complex Commission of the proposal if required
 - may use up to \$250,000 to prepare a State-owned building for sale if renovations are needed
 - may not expend any funds for the Brattleboro Retreat renovations until the Commissioner and the Secretary of Human Services notifies the

Commissioner of Finance and Management, the House Committees on Corrections and Institutions and on Health Care, and the Senate Committees on Health and Welfare and on Institutions that an agreement has been executed between the State and the Brattleboro Retreat

- may sell or transfer the buildings and adjacent land located at 1987 Rockingham Road in Rockingham
- may sell the Rutland Multi-Modal Transit Center
- may sell or transfer a portion of the land and boardwalk located north of the Emory A. Hebard State Office Building to the City of Newport

E-911

- Amends the statutory requirements for privately owned telephone systems by changing the reference from “privately owned telephone system” to “enterprise communications system,” and requires any enterprise communications system to provide a certain level of 911 service that other end users receive as well as more specific station identification data.

Education

- Authorizes the Secretary of Education to accept applications for planning grants from school districts by October 1, 2018 for capital construction that would result in the consolidation of student populations and the closure of at least one school building

Human Services

- Restricts the use of funds appropriated to the Brattleboro Restricts to capital renovations and fit-up costs and prohibits any funds from being used for periodic lease payments, usage fees, or other operation expenses
- Requires that the State execute an agreement with the Brattleboro Retreat, which shall include certain provisions:
 - the Brattleboro Retreat must provide a minimum of an additional 12 level-1 beds to the State for a period of time determined by the Secretary to be in the best interest of the State,
 - a targeted completion date for the renovation and fit-up project of December 2019; and
 - terms and conditions that ensures the protection of State investment of capital appropriations.
- Authorizes the State Treasurer to approve the agreement prior to execution to ensure it is in compliance with applicable tax-exempt bond requirements.

Labor

- Establishes, under the direction of the Department of Labor, the Adult Career and Technical Education Equipment Grant Pilot Program for the delivery of

occupational training for students enrolled in a postsecondary course offered by Vermont's career and technical education centers

Natural Resources

- Authorizes the Commissioner of Forests, Parks and Recreation to enter in an agreement with the Vermont Housing and Conservation Board and the Nature Conservancy to amend their easements to land that abuts the west side of the South Alburgh Cemetery to allow the State to convey land to the Alburgh Cemetery Association.

School Safety

- Establishes, under the direction of the Department of Public Safety, the School Safety and Security Grant Program to enhance safety and security in Vermont schools
- Establishes a School Safety Advisory Group to develop statewide guidelines and best practices concerning school safety and the prevention of school shootings

State House

- Directs the Sergeant at Arms to develop a proposal for a sound system by November 15, 2018 and submit a copy of this proposal to the Committee on Joint Rules and the Secretary of Administration to request inclusion in next year's capital budget request

Effective Date: May 28, 2018