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Sec. 2. 2017 Acts and Resolves No. 84, Sec. 3 is amended to read:

Sec. 3. HUMAN SERVICES

* * *

(b) ~~The sum of \$300,000.00 is appropriated in FY 2019 to the Department of Buildings and General Services for the Agency of Human Services for the projects described in subsection (a) of this section.~~ The following sums are appropriated in FY 2019 to the Department of Buildings and General Services for the Agency of Human Services:

(1) Statewide correctional facilities, cameras, locks, perimeter intrusion at correctional facilities: \$300,000.00

(2) Chittenden County Regional Correctional Facility and Northwest State Correctional Facility, renovations, beds for therapeutic placement: \$600,000.00

(3) Essex, Woodside Juvenile Rehabilitation Center, design and construction documents: \$500,000.00

(4) Brattleboro, Brattleboro Retreat, renovation and fit-up: \$4,500,000.00

(c) For the amount appropriated in subdivision (b)(2) of this section, it is the intent of the General Assembly that the funds be used to construct a therapeutic environment in the Chittenden Regional Correctional Facility and in the Northwest State Correctional Facility for persons in the custody of the Department of Corrections who do not meet the clinical criteria for inpatient

1 hospitalization but would benefit from a more therapeutic placement. The
2 therapeutic environment shall include three beds in the Chittenden Regional
3 Correctional Facility and ten beds in the Northwest State Correctional Facility.

4 (d) For the amount appropriated in subdivision (b)(4) of this section:

5 (1) The use of funds shall be restricted to capital renovations and fit-up
6 costs and shall not be used for any periodic lease payments, usage fees, or
7 other operating expenses.

8 (2)(A) The State of Vermont shall execute an agreement with the
9 Brattleboro Retreat for the renovation and fit-up project at the Brattleboro
10 Retreat, with a targeted completion date of December 2019. The Department
11 of Buildings and General Services shall not expend funds until the
12 Commissioner of Buildings and General Services and the Secretary of Human
13 Services have notified the Commissioner of Finance and Management and the
14 Chairs of the House Committee on Corrections and Institutions and on Health
15 Care, and the Senate Committees on Health and Welfare and on Institutions,
16 that an agreement has been executed between the Brattleboro Retreat and the
17 State.

18 (B) The agreement described in subdivision (2)(A) of this subsection
19 (d) shall include the following provisions:

20 (i) the Brattleboro Retreat shall provide access to a minimum of an
21 additional 12 level-1 beds, to the State for a period determined by the Secretary
22 to be in the best interests to the State; and

1 (ii) terms and conditions that ensure the protection of State
2 investment of capital appropriations, including:

3 (I) an initial strategic plan for long-term reuse of renovated
4 facilities;

5 (II) authority for the Agency of Human Services to access
6 Brattleboro Retreat's financials; and

7 (III) a process for sharing information necessary to the
8 Department of Mental Health for its statutory oversight responsibilities.

9 (C) Prior to execution, the State Treasurer shall approve the
10 agreement described in subdivision (2)(A) of this subsection (d) to ensure that
11 it is in compliance with applicable tax-exempt bond requirements.

12 (D) The Commissioner of Buildings and General Services and
13 Secretary of Human Services may also propose draft legislation to the House
14 Committee on Corrections and Institutions and on Health Care, and the Senate
15 Committees on Health and Welfare and on Institutions that may be necessary
16 to fulfill the agreement.

17 (3)(A) On or before October 15, 2018, the Secretary of Human Services
18 shall notify the Chairs of the House Committee on Corrections and Institutions
19 and on Health Care, and the Senate Committees on Health and Welfare and on
20 Institutions if an agreement between the Brattleboro Retreat and the State of
21 Vermont cannot be reached and shall submit to them an alternative proposal
22 for the 12 beds. The Secretary of Human Services shall also send the
23 alternative proposal to the Joint Fiscal Committee.

