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Act No. 42 (543). Appropriations and finance; capital construction; bonding

An act relating to capital construction and State bonding

This act sets out the State's fiscal year 2020 and fiscal year 2021 capital budget and authorizes the State to issue general obligation bonds in the amount of \$123,180,000.00 and to reallocate \$1,375,341.06 from prior capital appropriations. It also provides that there will be a budget adjustment process in the second year of the biennium and that fiscal year 2020 appropriations are subject to budget adjustment unless otherwise specified. This act also:

Appropriations

- Appropriates capital funds in the amount of \$124,555,341.00 over two years for capital construction projects
- Appropriates \$6,500,000.00 in fiscal year 2020 and \$6,790,813.00 in fiscal year 2021 to statewide major maintenance projects
- Appropriates \$3,000,000.00 in fiscal year 2020 and \$7,500,000.00 in fiscal year 2021 for the parking garage at 108 Cherry Street in Burlington
- Appropriates \$3,000,000.00 in fiscal year 2020 and \$1,500,000.00 in fiscal year 2021 to replace the Middlesex Secure Residential Recovery Facility
- Appropriates \$4,750,000.00 in fiscal year 2020 and \$3,900,000.00 in fiscal year 2021 for the Integrated Eligibility and Enrollment program
- Appropriates \$1,496,398.00 in fiscal year 2020 to the Judiciary for a judicial case management IT system
- Appropriates \$1,800,000.00 in fiscal year 2020 and \$1,400,000.00 in fiscal year 2021 for the Building Communities Grants Program
- Appropriates \$1,300,000 in fiscal year 2020 and \$1,000,000 in fiscal year 2021 for construction, renovation, and major maintenance at the University of Vermont
- Appropriates \$2,100,000 in fiscal year 2020 and \$2,000,000 in fiscal year 2021 for construction, renovation, and major maintenance at the Vermont State Colleges
- Appropriates \$12,100,000.00 in fiscal year 2020 and \$13,900,000.00 in fiscal year 2021 for various clean water initiatives

- Appropriates \$1,500,000.00 in fiscal year 2020 for School Safety and Security Grants
- Appropriates \$5,400,000.00 in fiscal year 2021 for construction of the Williston Public Field Safety Field Station
- Appropriates \$1,800,000.00 in fiscal year 2020 and \$1,800,000.00 in fiscal year 2021 to the Vermont Housing and Conservation Board for housing projects

Clean Water Initiatives

- Directs the Clean Water Fund Board to review and recommend Clean Water Act implementation programs for fiscal year 2021 funding and submit a list of recommended programs to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and the Governor for inclusion in the fiscal year 2021 capital budget report by December 1, 2019
- Requires any agency receiving fiscal year 2020 and fiscal year 2021 capital funding for clean water initiatives to consult with the State Treasurer to ensure that the projects are capital eligible
- Increases the term for loans from the EPA Drink Water State Revolving Fund to municipalities from the current maximum of 20 years to up to a maximum of 30 years
- Allows for municipalities that meet the Vermont statutory definition of “disadvantaged municipality” (defined in 24 V.S.A. § 4752) to extend a loan term with a current maximum of 30 years to up to a maximum of 40 years

Department of Buildings and General Services (BGS)

- Authorizes the Commissioner of Buildings and General Services to:
 - sell five properties, known as the Jay Peak properties, that were acquired by the State through the EB-5 enforcement actions, transferring the net proceeds from the sale of these properties to the Newport Economic Development Settlement Fund at the Department of Economic Development
 - transfer a parcel of land located on the Monacacy National Park Battlefield in Maryland to the U.S. National Park Service and move a granite monument commemorating the 10th Vermont Volunteer Infantry Regiment that was placed on the Battlefield to the U.S. National Park Service provided that conditions are put into place to ensure rights of access, public visitation, and preservation of the monument
- Names the courthouse at 9 Merchants Row in Rutland the “Francis B. McCaffrey Courthouse.”

- Requires that BGS include the estimated cost of deferred infrastructure maintenance in State buildings and facilities in the State capital needs and projections for the 10-year capital plan that is submitted with the Governor's annual capital budget request
- Requires the Commissioner of BGS and the Sergeant at Arms to conduct an assessment of space needs in the State House for legislative staff and the capital police and report back by January 15, 2020, with options for space reconfiguration

Human Services

- Sets forth the General Assembly's intent to replace the Middlesex Secure Residential Facility by constructing a 16-bed State-owned facility and exploring the placement of an interim secure residential recovery facility
- Directs the Department of Disabilities, Aging, and Independent Living to amend its rules pertaining to therapeutic community residences to allow secure residential recovery facilities to utilize emergency involuntary procedures
- Directs the Legislative Branch to contract the Council on State Governments to work with the Executive, Legislative, and Judicial Branches to conduct a review of programming and population trends in Vermont's correctional facilities

Information Technology

- Directs the Executive Branch to transfer one vacant position for use in the Joint Fiscal Office or for the Joint Fiscal Office to hire a consultant to provide support to the General Assembly to conduct independent reviews of State information technology projects and operations for a two-year period

Public Safety

- Authorizes the Commissioner of Buildings and General Services to purchase land for a public field station and an equipment storage facility and to sell the current Williston Public Safety Field Station and adjacent land
- Amends the requirements for the School Safety and Security Grant program by expanding the definition of a "school" that is eligible for a grant, clarifying that a school is only eligible for one grant award under the program, clarifying that a school that applied in FY 2019 but did not receive a grant award is still eligible to apply again in FY 2020, and amending the repeal date of the program from July 1, 2019, to July 30, 2020.

Multiple effective dates, beginning on May 30, 2019