

H.543

An act relating to capital construction and State bonding

It is hereby enacted by the General Assembly of the State of Vermont:

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

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$123,180,000.00 authorized in this act, not more than \$62,488,128.00 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 Bill. 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 (BGS), 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 2020:

(1) Statewide, BGS engineering and architectural project costs:

\$3,583,423.00

(2) Statewide, physical security enhancements:

\$275,000.00

(3) Statewide, major maintenance:

\$6,500,000.00

(4) Statewide, planning, use, and contingency:

\$700,000.00

(5) Burlington, 108 Cherry Street, parking garage repairs:

\$3,000,000.00

(6) Montpelier, 120 State Street, stair towers and rear entry:

\$3,500,000.00

(7) Montpelier, State House, new carpeting or carpeting repair near the

Governor's ceremonial office, the Cedar Creek Room, and the Card Room:

\$45,000.00

(8) Montpelier, Department of Labor, facilities modernization project:

\$120,000.00

(9) Newport, Northeast State Correctional Facility, direct digital HVAC

control system replacement:

\$900,000.00

(10) Rutland, Asa Bloomer, major renovation:

\$250,000.00

(11) Southern State Correctional Facility, door control project:

\$1,450,000.00

(c) The following sums are appropriated in FY 2021:

<u>(1) Statewide, BGS engineering and architectural project costs:</u>	<u>\$3,735,000.00</u>
<u>(2) Statewide, physical security enhancements:</u>	<u>\$275,000.00</u>
<u>(3) Statewide, major maintenance:</u>	<u>\$6,790,813.00</u>
<u>(4) Statewide, planning, use, and contingency:</u>	<u>\$500,000.00</u>
<u>(5) Burlington, 108 Cherry Street, parking garage repairs:</u>	<u>\$7,500,000.00</u>
<u>(6) Montpelier, State House, historical restorations:</u>	<u>\$75,000.00</u>
<u>(7) Montpelier, Department of Labor, facilities modernization project:</u>	<u>\$300,000.00</u>
<u>(8) Newport, Northeast State Correctional Facility, direct digital HVAC control system replacement:</u>	<u>\$900,000.00</u>
<u>(9) Rutland, Asa Bloomer, major renovation:</u>	<u>\$250,000.00</u>
<u>(10) Southern State Correctional Facility, door control project:</u>	<u>\$1,000,000.00</u>

(d) For the amount appropriated in subdivision (b)(4) of this section, the Commissioner of Buildings and General Services is authorized to use up to \$200,000.00 to assess relative costs and resource requirements for potential construction of a correctional facility that ranges in scale in order to accommodate the results of the Council of State Governments' study described in Sec. 28 of this act; provided, however, that the funds shall only become

available after approval by the Joint Fiscal Committee and the Joint Legislative Justice Oversight Committee. On or before March 15, 2020, the Commissioner shall submit a copy of the assessment to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

<u>Appropriation – FY 2020</u>	<u>\$20,323,423.00</u>
<u>Appropriation – FY 2021</u>	<u>\$21,325,813.00</u>
<u>Total Appropriation – Section 2</u>	<u>\$41,649,236.00</u>

Sec. 3. HUMAN SERVICES

(a) The following sums are appropriated in FY 2020 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

(1) Statewide, secure residential recovery facility, replacement, land acquisition, design, permitting, and construction documents: \$3,000,000.00

(2) Statewide, correctional facility, life safety and security needs and enhancements: \$250,000.00

(3) Serenity House, residential treatment center, completion of addition and renovations: \$100,000.00

(b) The sum of \$4,750,000.00 is appropriated in FY 2020 to the Agency of Human Services for the Department of Vermont Health Access, Integrated Eligibility and Enrollment system.

(c) The following sums are appropriated in FY 2021 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

(1) Statewide, secure residential recovery facility, replacement, land acquisition, design, permitting, and construction: \$1,500,000.00

(2) Statewide, correctional facility, life safety and security needs and enhancements: \$225,000.00

(3) Statewide, correctional facility, justice reinvestment II: \$250,000.00

(d) The sum of \$3,900,000.00 is appropriated in FY 2021 to the Agency of Human Services for the Department of Vermont Health Access, Integrated Eligibility and Enrollment system.

(e) For the project described in subsection (b) of this section:

(1) Installments. The funds shall be appropriated in three installments, as follows:

(A) \$3,250,000.00 upon passage of the act, which shall include \$250,000 to be used as described in Sec. 32 of this act (First Installment);

(B) \$750,000.00 following Joint Fiscal Committee approval to release the funds at its September meeting (Second Installment); and

(C) \$750,000.00 following Joint Fiscal Committee approval to release the funds at its November meeting (Third Installment).

(2) Reports. On or before September 1 and November 1, the Secretary of Human Services and the Secretary of Digital Services shall submit a report on the status of the project. The September and November reports shall include status updates on the projects scheduled for completion in calendar year 2019, as described in the memo from the IT Consultant for the Joint Fiscal Office to the Legislative Joint Fiscal Office, dated April 5, 2019. The September and November reports shall be submitted to the Chair and Vice Chair of the Joint Information Technology Oversight Committee and the Chairs of the House Committees on Corrections and Institutions and on Health Care and the Senate Committees on Health and Welfare and on Institutions. A copy of each report shall also be submitted to the Joint Fiscal Committee.

(3) Recommendations and approvals.

(A) Prior to the September meeting of the Joint Fiscal Committee, the Chair and Vice Chairs of the Joint Information Technology Oversight Committee and the Chairs of the House Committees on Corrections and Institutions and on Health Care and the Senate Committees on Health and Welfare and on Institutions shall provide recommendations to the Joint Fiscal Committee on whether to approve the Second Installment. The Joint Fiscal Committee at its September meeting shall review the report described in subdivision (2) of this subsection (f), consider the recommendations described in this subdivision (3)(A), and vote on whether to approve the Second Installment.

(B) Prior to the November meeting of the Joint Fiscal Committee, the Chair and Vice Chairs of the Joint Information Technology Oversight Committee, the Chairs of the House Committees on Corrections and Institutions and on Health Care, and the Senate Committees on Health and Welfare and on Institutions, shall provide recommendations to the Joint Fiscal Committee on whether to approve the Third Installment. The Joint Fiscal Committee shall review at its November meeting the report described in subdivision (2) of this subsection (f), consider the recommendations described in this subdivision (3)(B), and vote on whether to approve the Third Installment.

<u>Appropriation – FY 2020</u>	<u>\$8,828,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$5,875,000.00</u>
<u>Total Appropriation – Section 3</u>	<u>\$14,703,000.00</u>

#### Sec. 4. JUDICIARY

The sum of \$1,496,398.00 is appropriated in FY 2020 to the Judiciary for the case management IT system.

<u>Appropriation – FY 2020</u>	<u>\$1,496,398.00</u>
<u>Total Appropriation – Section 4</u>	<u>\$1,496,398.00</u>

#### Sec. 5. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2020 to the Department of Buildings and General Services for the Agency of Commerce and Community Development:

- (1) Major maintenance at historic sites statewide: \$250,000.00
- (2) Schooner Lois McClure, repairs and upgrades: \$37,500.00
- (3) Highgate Native American Cemetery, slope stabilization, Monument Road: \$100,000.00
- (4) Grand Isle, maintenance at historic county courthouse:  
\$50,000.00

(b) The following sums are appropriated in FY 2020 to the Agency of Commerce and Community Development for the following projects described in this subsection:

- (1) Underwater preserves: \$25,000.00
- (2) Placement and replacement of roadside historic markers:  
\$25,000.00

(c) The sum of \$250,000.00 is appropriated in FY 2021 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for major maintenance at statewide historic sites.

(d) The following sums are appropriated in FY 2021 to the Agency of Commerce and Community Development for the following projects described in this subsection:

- (1) Underwater preserves: \$25,000.00
- (2) Placement and replacement of roadside historic markers:  
\$25,000.00



(e) The funds shall become available after the Agency notifies the Department that the remaining funds to complete the project have been secured.

Appropriation – FY 2020 \$487,500.00

Appropriation – FY 2021 \$300,000.00

Total Appropriation – Section 5 \$787,500.00

Sec. 6. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2020 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:

\$200,000.00

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

\$200,000.00

(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:

\$200,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program:

\$200,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Human Services): \$100,000.00

(6) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Education):  
\$100,000.00

(7) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$200,000.00

(8) To the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: \$200,000.00

(9) To the Enhanced 911 Board for the Enhanced 911 Compliance Grants Program: \$400,000.00

(b) The following sums are appropriated in FY 2021 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:  
\$200,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program:  
\$200,000.00

(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: \$200,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: \$200,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Human Services): \$100,000.00

(6) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Education): \$100,000.00

(7) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: \$200,000.00

(8) To the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: \$200,000.00

(c) It is the intent of the General Assembly that the Enhanced 911 Compliance Grants Program shall cease to exist on June 30, 2021.

Appropriation – FY 2020 \$1,800,000.00

Appropriation – FY 2021 \$1,400,000.00

Total Appropriation – Section 6 \$3,200,000.00

Sec. 7. EDUCATION

(a) The sum of \$50,000.00 is appropriated in FY 2020 to the Agency of Education for emergency aid for school construction.

(b) The sum of \$50,000.00 is appropriated in FY 2021 to the Agency of Education for the project described in subsection (a) of this section.

<u>Appropriation – FY 2020</u>	<u>\$50,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$50,000.00</u>
<u>Total Appropriation – Section 7</u>	<u>\$100,000.00</u>

Sec. 8. UNIVERSITY OF VERMONT

(a) The sum of \$1,300,000.00 is appropriated in FY 2020 to the University of Vermont for construction, renovation, and major maintenance.

(b) The sum of \$1,000,000.00 is appropriated in FY 2021 to the University of Vermont for the projects described in subsection (a) of this section.

(c) The Vermont Division for Historic Preservation and Vermont Advisory Council on Historic Preservation shall be consulted on projects utilizing the funds appropriated in this section before the alteration or demolition of any property that is potentially of historical, architectural, archaeological, or cultural significance, including any property listed in or eligible for the State Register of Historic Places.

<u>Appropriation – FY 2020</u>	<u>\$1,300,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$1,000,000.00</u>

Total Appropriation – Section 8 \$2,300,000.00

Sec. 9. VERMONT STATE COLLEGES

(a) The sum of \$2,100,000.00 is appropriated in FY 2020 to the Vermont State Colleges for construction, renovation, and major maintenance.

(b) The sum of \$2,000,000.00 is appropriated in FY 2021 to the Vermont State Colleges for the projects described in subsection (a) of this section.

(c) The Vermont Division for Historic Preservation and Vermont Advisory Council on Historic Preservation shall be consulted on projects utilizing the funds appropriated in this section before the alteration or demolition of any property that is potentially of historical, architectural, archaeological, or cultural significance, including any property listed in or eligible for the State Register of Historic Places.

Appropriation – FY 2020 \$2,100,000.00

Appropriation – FY 2021 \$2,000,000.00

Total Appropriation – Section 9 \$4,100,000.00

Sec. 10. NATURAL RESOURCES

(a) The following sums are appropriated in FY 2020 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) Drinking Water Supply, Drinking Water State Revolving Fund:

\$3,308,508.00

(2) Dam safety and hydrology projects: \$150,000.00

(3) State's share of the Federal Superfund and State Lead Hazardous  
Waste Program (Elizabeth Mine): \$59,713.00

(b) The following sums are appropriated in FY 2020 to the Agency of  
Natural Resources for the Department of Forests, Parks and Recreation for the  
following projects:

(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:

\$2,925,000.00

(2) Rustic Cabin Construction Program: \$797,586.00

(c) The following sums are appropriated in FY 2020 to the Agency of  
Natural Resources for the Department of Fish and Wildlife for the projects  
described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and  
rehabilitation of infrastructure: \$1,300,000.00

(2) Fish culture stations, address fish stocking impacts of Salisbury Fish  
Culture Station discharge issues, including analysis and design of treatments or  
other changes to Salisbury's discharge, a feasibility study of State fish hatcheries  
to evaluate and design potential increases in capacity at those facilities, and

implementing alterations at other fish hatcheries to allow the rearing of brood stock: \$280,000.00

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

(d) The sum of \$130,000.00 is appropriated in FY 2020 to the Green Mountain Club Inc. for the procurement in fee simple or by easement of the Coddington Hollow properties (117.5 acres in the Town of Waterville and an abutting 49.6 acres in the Town of Johnson) containing the Long Trail tread way.

(e) The sum of \$50,000.00 is appropriated in FY 2020 to the Vermont Association of Snow Travelers, Inc. for the STP LVRT(7) project for improvements to the Lamoille Valley Rail Trail.

(f) The following sums are appropriated in FY 2021 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) Drinking Water Supply, Drinking Water State Revolving Fund: \$2,221,400.00

(2) Dam safety and hydrology projects: \$895,000.00

(g) The sum of \$2,900,000.00 is appropriated in FY 2021 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for infrastructure rehabilitation, including statewide small-scale rehabilitation,

wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects.

(h) The following sums are appropriated in FY 2021 to the Agency of Natural Resources for the Department of Fish and Wildlife for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: \$1,300,000.00

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

Appropriation – FY 2020 \$9,025,807.00

Appropriation – FY 2021 \$7,341,400.00

Total Appropriation – Section 10 \$16,367,207.00

Sec. 11. CLEAN WATER INITIATIVES

(a) The sum of \$3,450,000.00 is appropriated in FY 2020 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

(b) The following sums are appropriated in FY 2020 to the Agency of Natural Resources for the Department of Environmental Conservation projects described in this subsection:

(1) Water Pollution Control Fund, Clean Water State/EPA Revolving Loan Fund (CWSRF) match: \$2,500,000.00



(2) Municipal Pollution Control Grants, pollution control projects and planning advances for feasibility studies: \$3,300,000.00

(c)(1) The sum of \$50,000.00 is appropriated in FY 2020 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for a grant for forestry skidder bridges.

(2) An applicant for a grant awarded pursuant to subdivision (1) of this subsection shall pay at least 25 percent of the total cost of a wooden skidder bridge, and at least 20 percent of the cost of a steel skidder bridge.

(d)(1) The following sums are appropriated in FY 2020 to the Vermont Housing and Conservation Board for the following projects:

(A) Agricultural water quality projects: \$1,100,000.00

(B) Land conservation and water quality projects: \$1,700,000.00

(2) A grant issued under subdivision (1)(A) of this subsection:

(A) shall not be considered a State grant under 6 V.S.A. chapter 215, subchapter 3 for purposes of calculating the maximum amount of a State water quality assistance award under 6 V.S.A. § 4824 or 4826; and

(B) may be used to satisfy a grant recipient's cost share requirements.

(e) The sum of \$13,900,000.00 is appropriated in FY 2021 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects.

(f) On or before December 1, 2019:

(1) the Clean Water Board shall review and recommend Clean Water Act implementation programs funded from subdivision (e) of this section pursuant to 10 V.S.A. § 1389(a)(1)(B)(ii); and

(2) the Board shall submit the list of programs recommended for FY 2021 to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the FY 2021 capital budget adjustment report.

(g) In FY 2020 and FY 2021, any agency that receives funding from this section shall consult with the State Treasurer to ensure that the projects that are receiving funding under this section are capital eligible.

<u>Appropriation – FY 2020</u>	<u>\$12,100,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$13,900,000.00</u>
<u>Total Appropriation – Section 11</u>	<u>\$26,000,000.00</u>

Sec. 12. MILITARY

(a) The sum of \$700,000.00 is appropriated in FY 2020 to the Department of Military for maintenance and renovations at State armories. To the extent feasible, these funds shall be used to match federal funds.

(b) The sum of \$800,000.00 is appropriated in FY 2021 to the Department of Military for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2020</u>	<u>\$700,000.00</u>
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<u>Appropriation – FY 2021</u>	<u>\$800,000.00</u>
<u>Total Appropriation – Section 12</u>	<u>\$1,500,000.00</u>

Sec. 13. PUBLIC SAFETY

(a) The sum of \$700,000.00 is appropriated in FY 2020 to the Department of Buildings and General Services for design documents for the relocation of the Middlesex Field Station.

(b) The sum of \$1,500,000.00 is appropriated in FY 2020 to the Department of Public Safety for the School Safety and Security Grant Program, as described in Sec. 38 of this act.

(c) The sum of \$5,400,000.00 is appropriated in FY 2021 to the Department of Buildings and General Services for construction of the Williston Public Safety Field Station.

<u>Appropriation – FY 2020</u>	<u>\$2,200,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$5,400,000.00</u>
<u>Appropriation – Section 13</u>	<u>\$7,600,000.00</u>

Sec. 14. AGRICULTURE, FOOD AND MARKETS

(a) The sum of \$200,000.00 is appropriated in FY 2020 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for major maintenance at the Vermont building of the Eastern States Exposition.

(b) The sum of \$100,000.00 is appropriated in FY 2020 to the Agency of Agriculture, Food and Markets for the Produce Safety Infrastructure Grant Improvement Program. To the extent federal funds are available, the amount appropriated in this subsection shall be used as a match to federal funds. It is the intent of the General Assembly that capital funds shall not be appropriated to this project after FY 2020.

(c) The sum of \$200,000.00 is appropriated in FY 2021 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for major maintenance at the Vermont building of the Eastern States Exposition.

<u>Appropriation – FY 2020</u>	<u>\$300,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$200,000.00</u>
<u>Total Appropriation – Section 14</u>	<u>\$500,000.00</u>

Sec. 15. VERMONT RURAL FIRE PROTECTION

(a) The sum of \$75,000.00 is appropriated in FY 2020 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the dry hydrant program.

(b) The sum of \$75,000.00 is appropriated in FY 2021 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the project described in subsection (a) of this section.

<u>Appropriation – FY 2020</u>	<u>\$75,000.00</u>
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Appropriation – FY 2021 \$75,000.00

Total Appropriation – Section 15 \$150,000.00

Sec. 16. DEPARTMENT OF LABOR

(a) The sum of \$300,000.00 is appropriated in FY 2020 to the Department of Labor to fund the Adult Career and Technical Education Equipment Grant Pilot Program to provide capital-eligible equipment to support adult tech programs.

(b) The sum of \$300,000.00 is appropriated in FY 2021 to the Department of Labor to fund the project described in subsection (a) of this section.

Appropriation – FY 2020 \$300,000.00

Appropriation – FY 2021 \$300,000.00

Total Appropriation – Section 15 \$600,000.00

Sec. 17. SERGEANT AT ARMS

(a) The following sums are appropriated in FY 2020 to the Sergeant at Arms for the following projects:

(1) stand-alone digital public address system: \$175,000.00

(2) chairs for Committee rooms: \$30,000.00

(b) The sum of \$175,000.00 is appropriated in FY 2021 to the Sergeant at Arms for a stand-alone digital public address system.

(c) The Sergeant at Arms shall issue a request for proposal for the project described in subdivisions (a)(1) and subsection (b) of this section.

Appropriation – FY 2020 \$205,000.00

<u>Appropriation – FY 2021</u>	<u>\$175,000.00</u>
<u>Total Appropriation – Section 17</u>	<u>\$380,000.00</u>

Sec. 18. VERMONT HOUSING AND CONSERVATION BOARD

(a) The sum of \$1,800,000.00 is appropriated in FY 2020 to the Vermont Housing and Conservation Board for housing projects.

(b) The sum of \$1,800,000.00 is appropriated in FY 2021 to the Vermont Housing and Conservation Board for the project described in subsection (a) of this section.

<u>Appropriation – FY 2020</u>	<u>\$1,800,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$1,800,000.00</u>
<u>Total Appropriation – Section 18</u>	<u>\$3,600,000.00</u>

Sec. 19. AGENCY OF DIGITAL SERVICES

(a) The sum of \$125,000.00 is appropriated in FY 2020 to the Agency of Digital Services for digital orthophotography mapping.

(b) The sum of \$125,000.00 is appropriated in FY 2021 to the Agency of Digital Services for the project described in subsection (a) of this section.

<u>Appropriation – FY 2020</u>	<u>\$125,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$125,000.00</u>
<u>Total Appropriation – Section 19</u>	<u>\$250,000.00</u>

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

Sec. 20. 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 2017 Acts and Resolves No. 160,

Sec. 13(c) (Waterbury State Office Complex): \$33,404.00

(2) of the amount appropriated in 2017 Acts and Resolves No. 160,

Sec. 5(d)(2) (Barre courthouse study): \$10,076.40

(b) Of the amount appropriated in 2015 Acts and Resolves No. 26,

Sec. 8(a)(2) (school construction) to the Agency of Education, the amount of \$1,225,076.00 in unexpended funds reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act.

(c) Of the amount appropriated in 2018 Acts and Resolves No. 190,

Sec. 5(d)(4) (Civil War Heritage Trail Sign) to the Agency of Commerce and Community Development, the amount of \$29,948.00 in unexpended funds is reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(d) Of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 3

(cellular and broadband infrastructure) to the Vermont Telecommunications Authority for capital construction projects, the amount of \$76,836.66 in

unexpended funds is reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

Total Reallocations and Transfers – Section 20 \$1,375,341.06

Sec. 21. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

The State Treasurer is authorized to issue general obligation bonds in the amount of \$123,180,000.00 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.

Total Revenues – Section 21 \$123,180,000.00

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

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

Sec. 22. PROPERTY TRANSACTIONS; MISCELLANEOUS

(a)(1) The Commissioner of Buildings and General Services is authorized to sell the following five properties:

(A) Jay Peak Villages Townhouse V132, 236 South Village Road,  
Jay, Vermont;



(B) Parcel Number 17-0400027, Shallow Brook Road, TH 40,

Jay, Vermont;

(C) Parcel Number 06-0040006, known as Okcha Land, 76.3 acres,

Jay, Vermont;

(D) Vermont AQUIROS Farms, 1294 Loop Road, Troy, Vermont; and

(E) Parcel Number 7020043.000, 4452 Darling Hill Road, Burke,

Vermont.

(2) Notwithstanding 29 V.S.A. § 166(d), the net proceeds of the sale of the properties described in subdivision (1) of this subsection (a) shall be transferred to the Newport Economic Development Settlement Fund at the Department of Economic Development (Dept ID 7120010481).

(b)(1) The Commissioner of Buildings and General Services is authorized to transfer a 20-by-20-foot parcel located on the Monocacy National Battlefield Park located at 5201 Urbana Pike, Frederick, Maryland, to the United States National Park Service.

(2) The Commissioner of Buildings and General Services, on behalf of the Division for Historic Preservation, is also authorized to enter into an agreement to transfer the 10th Vermont Volunteer Infantry Regiment Monument at the Monocacy National Battlefield Park in Frederick, Maryland, to the United States National Park Service. The transfer shall be subject to conditions that ensure rights of access, public visitation, and preservation of the Monument.

Sec. 23. 29 V.S.A. § 821(a) is amended to read:

(a) State buildings.

(1) “Asa Bloomer State Office Building” shall be the name of the building now known as the “Hulett” office building in the city of Rutland.

\* \* \*

(14) “Francis B. McCaffrey Courthouse” shall be the name of the courthouse at 9 Merchants Row in Rutland.

Sec. 24. 2016 Acts and Resolves No. 88, Sec. 3a is amended to read:

Sec. 3a. REPEAL

2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is repealed on ~~June 30, 2019~~ June 30, 2021.

Sec. 25. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58, Sec. 113.1, 2017 Acts and Resolves No. 84, Sec. 29, and 2018 Acts and Resolves No. 190, Sec. 19 is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2019~~ July 1, 2020.

Sec. 26. 32 V.S.A. § 310 is amended to read:

§ 310. FORM OF ANNUAL CAPITAL BUDGET AND 10-YEAR  
CAPITAL PROGRAM PLAN

\* \* \*

(b) The capital budget request for the following biennium shall be presented as the next increment of the 10-year plan. Elements of the plan shall include:

\* \* \*

(C) ~~The capital~~ Capital needs and projections shall be for the current and the next nine fiscal years, with longer-term projections presented for programs with reasonably predictable longer-term needs.

(D) Capital needs and projections shall be presented independently of financing requirements or opportunities.

(E) Capital needs and projections shall include an estimated cost of deferred infrastructure maintenance in State buildings and facilities.

\* \* \*

Sec. 26a. 32 V.S.A. § 1001 is amended to read:

§ 1001. CAPITAL DEBT AFFORDABILITY ADVISORY COMMITTEE

(a) Committee established. A Capital Debt Affordability Advisory Committee is hereby created with the duties and composition provided by this section.

\* \* \*

(d) Committee composition.

(1) Committee membership shall consist of:

(A) As ex officio members:

(i) the State Treasurer;

(ii) the Secretary of Administration; and

(iii) a representative of the Vermont Municipal Bond Bank chosen by the directors of the Bank.

(B) Two individuals with experience in accounting or finance, who are not officials or employees of State government appointed by the Governor for six-year terms.

(C) The Auditor of Accounts who shall be a nonvoting ex officio member.

(D) One person who is not an official or employee of State government with experience in accounting or finance appointed by the State Treasurer for a six-year term.

(E) The Legislative Economist or other designee of the Joint Fiscal Office, who shall be a nonvoting ex officio member.

(2) The State Treasurer shall be the Chair of the Committee.

\* \* \*

Sec. 27. STATE HOUSE SPACE; SHORT-TERM; ASSESSMENT

(a) On or before January 15, 2020, the Sergeant at Arms and the Commissioner of Buildings and General Services shall conduct an assessment of space needs in the State House that considers the following:

(1) repurposing Room 2 to serve as a committee room; and

(2) an assessment of space needs for legislative staff, the Sergeant at Arms, and the Capitol Police.

(b) The Sergeant at Arms and the Commissioner of Buildings and General Services shall report the findings of the assessment described in subsection (a) of this section with options for space reconfiguration to the Joint Legislative Management Committee and the Senate Committee on Institutions and the House Committee on Corrections and Institutions.

\* \* \* Corrections \* \* \*

Sec. 28. COUNCIL OF STATE GOVERNMENTS; CORRECTIONS;

STUDY

(a) Intent. It is the intent of the General Assembly to work with the Council of State Governments (CSG) to assess the population trends and programming in the State's corrections system and that the State consider criminal justice reform strategies as part of the Justice Reinvestment II initiative. It is also the intent of the General Assembly that this assessment and initiative shall inform infrastructure needs for State correctional facilities.

(b) Study. The Legislative Branch shall contract with the Council of State Governments to work with the Executive, Legislative, and Judicial Branches and conduct a review of programming, transitional services, and population trends in Vermont's correctional facilities. The review may include an evaluation of the women's population in Vermont and the programming and services needed to

meet their needs, the detention population, and barriers that exist to reducing the population.

\* \* \* Human Services \* \* \*

Sec. 29. 2017 Acts and Resolves No. 84, Sec. 3, as amended by 2018 Acts and Resolves No. 190, Sec. 2, is further amended to read:

Sec. 3. HUMAN SERVICES

\* \* \*

(b) The following sums are appropriated in FY 2019 to the Department of Buildings and General Services for the Agency of Human Services:

\* \* \*

(2) Chittenden County Regional Correctional Facility and Northwest State Correctional Facility, renovations, beds for therapeutic placement and Southern State Correctional Facility, fit-up for one soft-cell at Chittenden County Regional Correctional Facility and one soft-cell at Southern State Correctional Facility: \$600,000.00

\* \* \*

~~(e) For the amount appropriated in subdivision (b)(2) of this section:~~

~~(1) 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 hospitalization but would benefit from a more therapeutic placement. The therapeutic environment shall include three beds in the Chittenden Regional Correctional Facility and ten or more beds in the Alpha Unit at the Northwest State Correctional Facility.~~

~~(2) the Commissioner of Buildings and General Services may use up to \$100,000.00 of the funds appropriated in subdivision (b)(1) of this section to support this project. [Repealed.]~~

\* \* \*

Sec. 30. REPLACEMENT OF MIDDLESEX SECURE RESIDENTIAL  
RECOVERY FACILITY

(a) Intent. To the extent that the Department of Disabilities, Aging, and Independent Living amends its rules pertaining to therapeutic community residences to allow secure residential recovery facilities to utilize emergency involuntary procedures and that these rules are identical to the rules adopted by the Department of Mental Health governing the use of emergency involuntary procedures in psychiatric inpatient units, it is the intent of the General Assembly that the State shall replace the Middlesex Secure Residential Recovery Facility by:

(1) constructing a physically secure State-owned secure residential recovery facility for up to an additional 16 beds that meets the security standards currently used at the Middlesex Secure Residential Recovery Facility; and

(2) exploring the placement of interim secure residential recovery beds or permanent beds that could be flexible to meet other potential therapeutic community residential uses as determined by the Department of Mental Health.

(b) State-owned Secure Residential Recovery Facility Proposal.

(1) On or before October 15, 2019, the Secretary of Human Services and the Commissioner of Buildings and General Services shall develop a proposal that expedites the closure of the Middlesex Secure Residential Recovery Facility and provides for construction of a 16-bed State-owned secure residential recovery facility described in subsection (a) of this section and shall present this proposal to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(2) With approval of the Speaker of the House and the President Pro Tempore, as appropriate, the House Committee on Corrections and Institutions and the Senate Committee on Institutions may meet up to one time when the General Assembly is not in session to evaluate the proposal described in subdivision (1) of this subsection and make a recommendation on the site location to the Joint Fiscal Committee. The Committees shall notify the Commissioner of Buildings and General Services and the Secretary of Human Services prior to holding a meeting pursuant to this subsection. Committee members shall be entitled to receive a per diem and expenses as provided in 2 V.S.A. § 406.



(3) The Joint Fiscal Committee shall review the recommendation of the Committees described in subdivision (2) of this section at its September or November 2019 meeting. If the Joint Fiscal Committee so determines, it shall approve the proposal as recommended by the Committees.

(c) Interim Secure Residential Recovery Beds.

(1) Interim bed negotiations. On or before the August 15, 2019, the Commissioner of Mental Health shall conduct an analysis of mental health bed needs in residential programs at secure residential recovery facilities across the State. Based on this analysis, the Secretary of Human Services may commence negotiations for placement of eight interim beds in a secure residential recovery facility or permanent beds that could be flexible to meet other potential therapeutic community residential uses with a target a completion date for negotiations of December 1, 2019. The Secretary shall not execute an agreement without legislative approval.

(2) Report. On or before December 15, 2019, the Agency shall submit a report to the House Committees on Appropriations, on Corrections and Institutions, and on Health Care and to the Senate Committees on Appropriations, on Institutions, and on Health and Welfare on the status of negotiations based on the Department of Mental Health's analysis of bed needs. To the extent the Agency determines it is an appropriate location for an alternative to the Middlesex Secure Residential Recovery Facility, the report

shall include an analysis of operating secure residential recovery beds at Rutland Regional Medical Center and Rutland Mental Health Services.

Sec. 31. DEPARTMENT OF DISABILITIES, AGING, AND  
INDEPENDENT LIVING; RULEMAKING

The Department of Disabilities, Aging, and Independent Living shall amend its rules, pursuant to 3 V.S.A. chapter 25, pertaining to therapeutic community residences to allow secure residential recovery facilities to utilize emergency involuntary procedures so that those amended rules are finally adopted on or before June 1, 2020, unless that deadline is extended by the Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 843(c). These rules shall be identical to the rules adopted by the Department of Mental Health that govern the use of emergency involuntary procedures in psychiatric inpatient units.

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

Sec. 32. 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 staff position, or the JFO may 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 Digital Services 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 projects, as requested;

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

(3) provide to the JFO access to all other documentation related to current and planned information technology projects and operations, as requested.

(c) The JFO shall maintain a memorandum of understanding with the Executive Branch relating to any documentation provided under subsection (b) of this section that shall protect security and confidentiality.

(d) In FY 2020 and FY 2021, the JFO is authorized to use up to \$250,000.00 of the amounts appropriated in Sec. 3(b) of this act to fund activities described in this section.

\* \* \* Labor \* \* \*

Sec. 33. 2018 Acts and Resolves No. 190, Sec. 21 is amended to read:

Sec. 33a. ADULT CAREER AND TECHNICAL EDUCATION

EQUIPMENT GRANT PILOT PROGRAM

(a) The General Assembly hereby establishes a pilot grant program to authorize the Department of Labor, in consultation with the State Workforce Development Board, to administer the Adult Career and Technical Education

Equipment Grant Pilot Program to support the purchase of equipment necessary for the delivery of occupational training for students enrolled in a postsecondary course offered by Vermont's Career and Technical Education Centers.

(b) Career and Technical Education Centers are the only eligible applicants for grants awarded under the Program. Grants may only be awarded to applicants who demonstrate how use of the grant-funded equipment will be shared with at least one other Career and Technical Education Center, the Department of Corrections, or an accredited post-secondary college or university located in Vermont.

(c) An applicant's training program shall qualify for a grant described in subsection (a) of this section if it includes all of the following requirements:

- (1) meets current occupational demand, as evidenced by current labor market information;
- (2) aligns with a career pathway or set of stackable credentials involving a college or university accredited in Vermont;
- (3) ~~guarantees delivery of equipment to more than one region of the State;~~
- (4) is supported with a business or industry partnership;
- (5)(4) sets forth how equipment will be maintained, insured, shared, and transported, if applicable; and
- (6)(5) is endorsed by the Adult Career and Technical Education Association.

~~(e)~~(d) Grants awarded under this program shall be used to purchase capital-eligible equipment. Grants shall not be used to support curriculum development, instruction, or program administration.

~~(d)~~(e) On or before July 15, 2018, the Department shall develop and publish a simplified grant application that meets the criteria described in subsection (b) of this section. The Department shall consult with the Agency of Education and the State Workforce Development Board in reviewing applications and selecting grantees.

~~(e)~~(f) Grantees shall have ownership over any share of equipment purchased with the use of these funds. Any equipment purchased from this program may also be used by secondary career technical education programs.

~~(f)~~(g) On or before February 15, 2019, the Department of Labor shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions that includes the following:

- (1) how the funds were used, expected outcomes, recommended performance metrics to ensure success of the program, and any other relevant information that would inform future decisions about the use of this program;
- (2) assessment of the functionality and accessibility of shared-equipment agreements; and
- (3) how, and the extent to which, the program shall be funded in the future.

\* \* \* Sunset of Adult Career and Technical Education

Equipment Grant Program \* \* \*

Sec. 33b. REPEAL OF ADULT CAREER AND TECHNICAL  
EDUCATION EQUIPMENT GRANT PROGRAM

The Adult Career and Technical Education Equipment Grant Program  
established in Sec. 33a of this act shall be repealed on ~~July 1, 2019~~ July 1, 2021.

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

Sec. 34. 2017 Acts and Resolves No. 84, Sec. 12, as amended by 2018 Acts and  
Resolves No. 190, Sec. 9, is further amended to read:

Sec. 12. MILITARY

\* \* \*

(b) The following sums are appropriated in FY 2019 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: \$780,000.00

(2) Bennington Armory, site acquisition and permitting: \$60,000.00

\* \* \*

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

Sec. 35. 2017 Acts and Resolves No. 84, Sec. 11, as amended by 2018 Acts and  
Resolves No. 190, Sec. 8, is further amended to read:

Sec. 11. CLEAN WATER INITIATIVES

\* \* \*

(1) The following sums are appropriated in FY 2019 to the Municipal Mitigation Assistance Program in the Agency of Transportation:

(1) Municipal Highway and Stormwater Mitigation Program:

~~\$1,000,000.00~~ \$359,860.00

(2) Better Roads Program:

~~\$1,400,000.00~~ \$2,040,140.00

\* \* \*

\* \* \* Municipal Public Water Supply Systems \* \* \*

Sec. 36. 24 V.S.A. § 4755 is amended to read:

§ 4755. LOAN; LOAN AGREEMENTS; GENERAL PROVISIONS

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

\* \* \*

(3) The loan shall be evidenced by a municipal bond, payable by the municipality over a term not to exceed ~~30~~ 40 years or the projected useful life of the project, whichever is less, except:

(A) there shall be no deferral of payment;

(B) the term of the loan shall not exceed ~~20~~ 30 years when required by section 4763c of this title; ~~and~~

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

(D) the term of the loan shall not exceed 30 years for clean water projects.

\* \* \*

Sec. 37. 24 V.S.A. § 4763c is amended to read:

§ 4763c. LOANS TO MUNICIPALITIES FOR MUNICIPAL PUBLIC

WATER SUPPLY SYSTEMS

(a) The Secretary may certify to the Vermont Municipal Bond Bank established by section 4571 of this title the award of a loan to a municipality to assist with a public water supply system project, when the Secretary finds that:

(1) the project is necessary;

(2) the proposed type, size, and estimated cost of the project are suitable for its intended purpose; and

(3) the municipality will have the technical, financial, and managerial ability to operate the facility in compliance with federal and State law.

(b) The certification by the Secretary shall specify the interest rate, and indicate which of the following loan conditions concerning construction loans apply:



(1) The term shall not exceed ~~20~~ 30 years, and the annual interest rate, plus the administrative fee, shall be no more than three percent or less than zero percent, except that when the applicant municipality is disadvantaged as defined by subdivision 4752(12) of this title, the term shall not exceed ~~30~~ 40 years. When the applicant municipality is disadvantaged as defined in subdivision 4752(12), the annual interest rate, plus the administrative fee, shall be no less than minus three percent.

\* \* \*

(3) Loans awarded to a municipality that have not initiated repayment prior to January 1, 2019 may be extended as provided by subdivisions (b)(1) and (b)(2) of this section.

\* \* \* School Safety and Security \* \* \*

Sec. 38. 2017 Acts and Resolves No. 84, as amended by 2018 Acts and Resolves No. 190, Sec. 26, is further amended to read:

Sec. 36a. SCHOOL SAFETY AND SECURITY CAPITAL GRANT  
PROGRAM

(a) Creation. There is created the School Safety and Security Capital Grant Program to be administered by the Department of Public Safety to enhance safety and security in Vermont schools, ~~as defined in 16 V.S.A. § 3447.~~

(1) As used in this section, "school" means:

(A) public schools, as defined in 16 V.S.A. § 11;

(B) schools administered by regional career technical center school districts, as defined in 16 V.S.A. § 1571;

(C) joint contract schools, as described in 16 V.S.A. § 571; and

(D) approved independent schools, as defined in 16 V.S.A. § 166.

(2) The amount appropriated in ~~Sec. 10 of this act~~ 2018 Acts and Resolves No. 190, Sec. 10, adding 2017 Acts and Resolves No. 84, Sec. 13(c)(1), and in Sec. 13(b) of this act, shall be used to fund this Program.

\* \* \*

(c) Guidelines. The following guidelines shall apply to capital grants for school safety measures:

\* \* \*

(3) The Program is authorized to award one capital grants grant of up to \$25,000.00 per school. Each school shall be required to provide a 25 percent match to the grant amount. The required match shall be met through dollars raised and not in-kind services.

\* \* \*

(f) FY 2020 Grant Awards. In FY 2020, the Program may award a grant to an eligible school that applied for but did not receive a grant award in FY 2019.

\* \* \* Sunset of School Security Grant Program \* \* \*

Sec. 36b. REPEAL OF SCHOOL SECURITY GRANT PROGRAM

The School Safety and Security Grant Program established in Sec. 26 of this act shall be repealed on ~~July 1, 2019~~ January 1, 2020.

\* \* \*

\* \* \* Effective Date \* \* \*

Sec. 39. EFFECTIVE DATE

This act shall take effect on passage, except that Sec. 22(a) (sale of Jay Peak properties) shall not take effect until the final disposition of State of Vermont v. Quiros, et al., Docket No. 217-4-16 (Wncv), including all appeals, is determined, and shall not take effect at all if that final disposition holds that the State has not acquired the properties.