

H.543

An act relating to capital construction and State bonding

The House concurs in the Senate proposal of amendment with further amendment thereto as follows:

First: In Sec. 1, legislative intent, in subsection (a), by striking out “\$62,125,628.00” and inserting in lieu thereof “\$62,488,128.00”

Second: In Sec. 2, State buildings, in subdivision (b)(4), by striking out “\$500,000.00” and inserting in lieu thereof “\$700,000.00”, in subdivision (c)(3), by striking out “\$7,328,313.00” and inserting in lieu thereof “\$6,790,813.00” and by striking out all after subsection (c) and inserting in lieu thereof the following:

(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>

Third: In Sec. 5, commerce and community development, in subdivision (a)(2), by striking out “\$50,000.00” and inserting in lieu thereof “\$37,500.00” and by striking out all after subsection (d) and inserting in lieu thereof the following:

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

<u>Appropriation – FY 2020</u>	<u>\$487,500.00</u>
<u>Appropriation – FY 2021</u>	<u>\$300,000.00</u>
<u>Total Appropriation – Section 5</u>	<u>\$787,500.00</u>

Fourth: In Sec. 11, clean water initiatives, in subdivision (f)(1), by striking out “10 V.S.A. § 1389(a)(B)(ii)” and inserting in lieu thereof “10 V.S.A. § 1389(a)(1)(B)(ii)”

Fifth: By striking out Sec. 17, Sergeant at Arms, in its entirety and inserting in lieu thereof the following:

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

Appropriation – FY 2021 \$175,000.00

Total Appropriation – Section 17 \$380,000.00

Sixth: In Sec. 27, State House space; short-term; assessment, in subsection (a), by inserting “in the State House” after “needs”

Seventh: By striking out Sec. 28, Council on State Governments; corrections; study, and inserting in lieu thereof the following:

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.

Eighth: By striking out Sec. 29a, Woodside Juvenile Rehabilitation Center; report, in its entirety.

Ninth: By striking out Sec. 30, replacement of Middlesex secure residential recovery facility; intent, in its entirety and inserting in lieu thereof the following:

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.

Tenth: In Sec. 33, amending 2018 Acts and Resolves No. 190, Sec. 21, in Sec. 33a, in subsection (b), in the second sentence, by striking out “a State correctional facility” and inserting in lieu thereof “the Department of Corrections”

Eleventh: In Sec. 38, amending 2017 Acts and Resolves No. 84, as amended by 2018 Acts and Resolves No. 190, Sec. 26, in Sec. 36b, by striking out “June 30, 2020” and inserting in lieu thereof “January 1, 2020”