

## Senate proposal of amendment

### H. 955

An act relating to capital construction and State bonding budget adjustment

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2019 Acts and Resolves No. 42, Sec. 2 is amended to read:

Sec. 2. STATE BUILDINGS

\* \* \*

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

\* \* \*

(7) Montpelier, State House, new drapes and carpeting or carpeting repair in the Governor's ceremonial office and the vestibule near the Governor's ceremonial office, the Hall of Flags, the Cedar Creek Room, the Senate Secretary's Office, and the carpeting or carpeting repair in the Card Room: \$45,000.00

\* \* \*

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

\* \* \*

(4) Statewide, planning, use, and contingency: ~~\$500,000.00~~ \$529,077.00

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

~~\$7,500,000.00~~ \$7,400,000.00

(6) Montpelier, State House, ~~historical restorations~~ new drapes and carpeting or carpeting repair in the Governor's ceremonial office or in the vestibule near the Governor's ceremonial office, the Hall of Flags, Senate Secretary's Office, and carpeting or carpeting repair in the Card Room: \$75,000.00

\* \* \*

(11) Montpelier, State House, HVAC, planning and design to address air quality and mold issues: 500,000.00

(12) Newport, Orleans County Courthouse, replacement, site acquisition, planning, and design for a stand-alone courthouse with no retail space: 1,500,000.00

(13) Windsor, costs to renovate space at the former Southeast State Correctional Facility associated with the relocation of the Department of Fish and Wildlife and the Department of Forests, Parks and Recreation from the

Springfield State Office Building: \$700,000.00

(14) Statewide, installation of electric vehicle charging facilities in State-owned parking lots under the jurisdiction of the Department of Buildings and General Services: 75,000.00

(15) State House, cafeteria renovation for a flexible meeting room:  
\$57,000.00

(d)(1) 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 issue a request for proposal to hire a consultant to analyze different state-of-the-art correctional facility models 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. If the cost of the analysis exceeds \$200,000.00, the Commissioner is authorized to use the amounts appropriated in subdivisions (b)(4) and (c)(4) of this section to cover the additional cost.

(2) On or before ~~March 15, 2020~~ January 1, 2021, the Commissioner shall submit a copy of the assessment analysis described in subdivision (1) of this subsection to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. Beginning on July 1, 2020, the Commissioner of Buildings and General Services and the Commissioner of Corrections shall provide monthly updates on the status of the analysis to the Joint Legislative Justice Oversight Committee.

(e) It is the intent of the General Assembly that the Commissioner of Buildings and General Services shall look at other State uses for storage of State-owned equipment and whether the former Southeast State Correctional Facility would be an appropriate place for storage.

Appropriation – FY 2020	\$20,323,423.00
Appropriation – FY 2021	<del>\$21,325,813.00</del> <u>\$24,086,890.00</u>
Total Appropriation – Section 2	<del>\$41,649,236.00</del> <u>\$44,410,313.00</u>

Sec. 2. 2019 Acts and Resolves No. 42, Sec. 3 is amended to read:

Sec. 3. HUMAN SERVICES

\* \* \*

(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:

\* \* \*

(4) Brattleboro, Brattleboro Retreat, level 1 bed project construction:  
\$1,500,000.00

(5) Windsor and St. Johnsbury, site preparation, relocation and rebuild of a greenhouse at the Caledonia County Workcamp from the former Southeast State Correctional Facility, with the use of inmate labor for the rebuild of the greenhouse, where appropriate: \$200,000.00

\* \* \*

(d) The sum of ~~\$3,900,000.00~~ \$4,500,000.00 is appropriated in FY 2021 to the Agency of Human Services for the Department of Vermont Health Access, Integrated Eligibility and Enrollment system.

\* \* \*

(f) The Commissioner of Buildings and General Services, in consultation with the Commissioner of Corrections, may use the amount appropriated in subdivision (c)(5) of this section to build a new greenhouse at the Caledonia Work Camp if a new build is more cost-effective than the relocation of the greenhouse from the former Southeast State Correctional Facility. Where appropriate, inmate labor may be used for the new build of a greenhouse.

Appropriation – FY 2020	\$8,828,000.00	<u>\$8,100,000.00</u>
Appropriation – FY 2021	\$5,875,000.00	<u>\$8,175,000.00</u>
Total Appropriation – Section 3		<u>\$14,703,000.00</u>
		<u>\$16,275,000.00</u>

Sec. 3. 2019 Acts and Resolves No. 42, Sec. 5 is amended to read:

Sec. 5. COMMERCE AND COMMUNITY DEVELOPMENT

\* \* \*

~~(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
- (3) Highgate Native American Cemetery, slope stabilization,  
Monument Road: \$100,000.00

(4) Major maintenance at statewide historic sites: \$250,000.00

~~(e)(d) The funds shall become available after the Agency notifies the Department that the remaining funds to complete the project have been secured. The Agency shall not use the amount appropriated in subdivision (c)(1) of this section for any new underwater preserve projects. It is the intent of the General Assembly that no future capital funding shall be made available for new underwater preserve projects.~~

\* \* \*

Appropriation – FY 2020	\$487,500.00
Appropriation – FY 2021	<del>\$300,000.00</del> \$400,000.00
Total Appropriation – Section 5	<del>\$787,500.00</del> \$887,500.00

Sec. 4. 2019 Acts and Resolves No. 42, Sec. 8 is amended to read:

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 at any facility owned or operated in the State by the University of Vermont.

(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.

\* \* \*

Sec. 5. 2019 Acts and Resolves No. 42, Sec. 9 is amended to read:

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 at any facility owned or operated in the State by the Vermont State Colleges.

(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.

\* \* \*

Sec. 6. 2019 Acts and Resolves No. 42, Sec. 10 is amended to read:

Sec. 10. NATURAL RESOURCES

\* \* \*

~~(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. [Repealed.]~~

(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:

\* \* \*

(2) Dam safety and hydrology projects: ~~\$895,000.00~~ \$916,138.00

(3) Engineering and construction grants related to improvements for public water systems with confirmed concentrations of PFAS exceeding 20 nanograms per liter and on a do-not-drink notice: \$550,000.00

\* \* \*

(i)(1) Notwithstanding 24 V.S.A. § 4753(a)(9), it is the intent of the General Assembly that the reallocation in Sec. 13 of this act, amending 2019 Acts and Resolves No. 42, Sec. 20(h), the amount of \$130,000.00 from the Vermont Drinking Water Revolving Loan be used to support the appropriation in subdivision (f)(3) of this section.

(2) For the amount appropriated in subdivision (f)(3) of this section, the Agency shall use \$50,000.00 for grants to reimburse any schools that operate public water systems with confirmed concentrations of PFAS exceeding 20 nanograms per liter and on a do-not-drink notice for their costs of providing bottled or bulk water.

(3) Any recovery or repayment of funds appropriated by subdivision (f)(3) of this section from a person responsible for the contamination of a public water system receiving those funds shall be used for future capital construction acts.

Appropriation – FY 2020	<del>\$9,025,807.00</del> <u>\$8,975,807.00</u>
Appropriation – FY 2021	<del>\$7,341,400.00</del> <u>\$7,912,538.00</u>
Total Appropriation – Section 10	<del>\$16,367,207.00</del> <u>\$16,888,345.00</u>

Sec. 7. 2019 Acts and Resolves No. 42, Sec. 11 is amended to read:

Sec. 11. CLEAN WATER INITIATIVES

\* \* \*

~~(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. [Repealed.]~~

\* \* \*

(h) The sum of \$4,294,503.00 is appropriated in FY 2021 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

(i) The following sums are appropriated in FY 2021 to the Agency of Natural Resources for the Department of Environmental Conservation

projects described in this subsection:

(1) Water Pollution Control Fund, Clean Water/EPA Revolving Loan Fund (CWSRF) match: \$1,605,497.00

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

(j) The sum of \$1,900,000.00 is appropriated in FY 2021 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for best management practices at State-owned forest and recreational access points.

(k)(1) The following sums are appropriated in FY 2021 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.

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

Sec. 8. 2019 Acts and Resolves No. 42, Sec. 12 is amended to read:

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~~ \$1,420,000.00 is appropriated in FY 2021 to the Department of Military for the projects described in subsection (a) of this section.

Appropriation – FY 2020	\$700,000.00
Appropriation – FY 2021	<del>\$800,000.00</del> <u>\$1,420,000.00</u>
Total Appropriation – Section 12	<del>\$1,500,000.00</del> <u>\$2,120,000.00</u>

Sec. 9. 2019 Acts and Resolves No. 42, Sec. 13 is amended to read:

Sec. 13. PUBLIC SAFETY

\* \* \*

(d) The sum of \$2,000,000.00 is appropriated in FY 2021 to the Department of Buildings and General Services for renovation costs associated with the relocation of a replacement for the Middlesex Field Station to the former Department of Libraries building in Berlin.

Appropriation – FY 2020	\$2,200,000.00
Appropriation – FY 2021	<del>\$5,400,000.00</del> <u>\$7,400,000.00</u>
Appropriation – Section 13	<del>\$7,600,000.00</del> <u>\$9,600,000.00</u>

Sec. 10. 2019 Acts and Resolves No. 42, Sec. 14 is amended to read:

Sec. 14. AGRICULTURE, FOOD AND MARKETS

\* \* \*

(c) The sum of ~~\$200,000.00~~ \$280,000.00 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.

Appropriation – FY 2020	\$300,000.00
Appropriation – FY 2021	<del>\$200,000.00</del> <u>\$280,000.00</u>
Total Appropriation – Section 14	<del>\$500,000.00</del> <u>\$580,000.00</u>

Sec. 11. 2019 Acts and Resolves No. 42, Sec. 18 is amended to read:

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~~ \$3,800,000.00 is appropriated in FY 2021 to the Vermont Housing and Conservation Board for the project described in subsection (a) of this section housing and conservation projects.

Appropriation – FY 2020	\$1,800,000.00
Appropriation – FY 2021	<del>\$1,800,000.00</del> <u>\$3,800,000.00</u>
Total Appropriation – Section 18	<del>\$3,600,000.00</del> <u>\$5,600,000.00</u>

Sec. 12. AGENCY OF TRANSPORTATION

(a) The sum of \$50,000.00 is appropriated in FY 2020 to the Agency of Transportation for the Lamoille Valley Rail Trail.

(b) The following sums are appropriated in FY 2021 to the Agency of Transportation for the following projects:

<u>(1) Lamoille Valley Rail Trail:</u>	<u>\$2,830,000.00</u>
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(2) Electric Vehicle Equipment (EVSE) Grant Program: \$750,000.00

(c) For the amount appropriated in subdivision (b)(1) of this section, if matching federal funds are not available or if federal funds do not require a state match, the funds shall be used for projects in a future capital construction act.

(d) On or before January 15, 2021, the Commissioner of Forests, Parks and Recreation, in consultation with the Secretary of Administration, shall develop and submit a plan to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on whether the Lamoille Valley Rail Trail may be developed into a linear State park.

(e) The Secretary of Transportation and the Commissioner of Forests, Parks and Recreation shall develop a memorandum of understanding (MOU) regarding the ongoing maintenance of the Lamoille Valley Rail Trail. On or before January 15, 2021, and prior to execution, the Secretary and Commissioner shall report back to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with a draft of the MOU and an implementation plan for the MOU.

<u>Appropriation – FY 2020</u>	<u>\$50,000.00</u>
<u>Appropriation – FY 2021</u>	<u>\$3,580,000.00</u>
<u>Total Appropriation – Section 12</u>	<u>\$3,630,000.00</u>

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

Sec. 13. 2019 Acts and Resolves No. 42, Sec. 20 is amended to read:

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~~ 2016 Acts and Resolves No. 160, Sec. 13(c) (Waterbury State Office Complex): \$33,404.00

(2) of the amount appropriated in ~~2017~~ 2016 Acts and Resolves No. 160, Sec. 5(d)(2) (Barre courthouse study): \$10,076.40

(3) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(b)(11) (109 and 111 State Street, final design and construction): \$104,244.77

(4) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(c)(6), as amended by 2018 Acts and Resolves No. 190, Sec. 1 (120 State Street, life safety and infrastructure improvements): \$456,308.11

(5) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 2(c)(10), as amended by 2018 Acts and Resolves No. 190, Sec. 1 (109 and 111



State Street, final design and construction): \$495,755.23

(b)(1) 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.

(2) Of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 7 (emergency aid for school construction), the amount of \$37,264.89 in unexpended funds is reallocated to defray expenditures authorized in this act.

(3) Of the amount appropriated in 2018 Acts and Resolves No. 42, Sec. 7(a) (emergency aid for school construction), the amount of \$49,382.00 in unexpended funds is reallocated to defray expenditures authorized in this act.

(c)(1) Notwithstanding 18 V.S.A. § 5212b(b), of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 6(b)(3) (Unmarked Burial Fund) to the Agency of Commerce and Community Development, the amount of \$29,849.00 in unexpended funds is reallocated to defray expenditures authorized in this act.

(2) 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.

\* \* \*

(e) Of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 6(a)(8) (Agricultural Fairs Capital Projects Competitive Grant Program) to the Agency of Agriculture, Food and Markets, the amount of \$18,696.00 in unexpended funds is reallocated to defray expenditures authorized in this act.

(f) Of the amount appropriated in 2018 Acts and Resolves No. 190, Sec. 3(b)(3) (Essex, Woodside Juvenile Rehabilitation Center, design and construction documents) to the Agency of Human Services, the amount of \$499,139.00 in unexpended funds is reallocated to defray expenditures authorized in this act.

(g) Of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 9(d) (Montpelier Flood Control) to the Agency of Natural Resources, the amount of \$21,137.83 in unexpended funds is reallocated to defray expenditures authorized in this act.

(h) Of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 13(b) (School Safety and Security Grant Program) to the Department of



Resolves No. 84, Sec. 2(17), is further amended to read:

(17) Waterbury, Waterbury State Office Complex, Stanley and Wasson, demolition of Stanley Hall, and ~~programming, schematic design, and design development for~~ Wasson Hall: \$950,000.00

Sec. 17. 29 V.S.A. § 157 is amended to read:

#### § 157. FACILITIES CONDITION ANALYSIS

(a) The Commissioner of Buildings and General Services shall:

(1) ~~Maintain~~ maintain the condition of buildings and infrastructure under the Commissioner's jurisdiction to provide a safe and healthy environment through sustainable practices and judicious capital renewal.;

(2) ~~Conduct~~ conduct a facilities condition analysis each year of 20 percent of the building area and infrastructure under the Commissioner's jurisdiction so that ~~within five years all property is assessed. At the end of the five years, the process shall begin again. The analysis conducted pursuant to this subsection shall include the thermal envelope of buildings and a report on the annual energy consumption and energy costs and recommendations for reducing energy consumption.;~~ and

(3) conduct investment grade energy audits to develop a pipeline of energy efficiency and conservation measures to be implemented through the State Energy Management Program or during construction projects.

(b) The Commissioner may use up to ~~two~~ four percent of the funds appropriated to the Department of Buildings and General Services for major maintenance and planning for the purpose described in subsection (a) of this section.

Sec. 18. 29 V.S.A. § 166 is amended to read:

#### § 166. SELLING OR RENTING STATE PROPERTY

\* \* \*

(b) Upon authorization by the General Assembly, which may be granted by resolution, and with the advice and consent of the Governor, the Commissioner of Buildings and General Services may sell real estate owned by the State. Such property shall be sold to the highest bidder therefor at public auction or upon sealed bids in the discretion of the Commissioner of Buildings and General Services, who may reject any or all bids. Notice of the sale or a request for sealed bids shall be posted in at least three public places in the town where the property is located and also published three times in a newspaper having a known circulation in the town, the last publication to be not less than 10 days before the date of sale or opening of the bids. Failing to consummate a sale under the method prescribed in this section, the

Commissioner of Buildings and General Services is authorized to list the sale of this property with a real estate agent licensed by the State of Vermont. This subsection shall not apply to ~~exchanges of lands~~ the sale, conveyance, exchange, or lease of lands or interests in lands; to the amendment of deeds, leases, and easements; or to sales of timber made in accordance with the provisions of 10 V.S.A. chapter 55 ~~or to the sale of land or interests in land made in accordance with 155~~ or the provisions of 10 V.S.A. chapter 83.

\* \* \*

Sec. 19. 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. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves No. 190, Sec. 18, and 2019 Acts and Resolves No. 42, Sec. 25, is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1, 2020~~ July 1, 2021.

Sec. 20. OFFICE RELOCATION; LEGISLATIVE STAFF

Notwithstanding 29 V.S.A. § 165, the Commissioner of Buildings and General Services shall require approval from the Joint Legislative Management Committee for any proposals to relocate space used by the Legislative Branch. The Joint Legislative Management Committee shall consult with the Chair of the House Committee on Corrections and Institutions and the Chair of the Senate Committee on Institutions prior to granting approval.

Sec. 21. 2019 Acts and Resolves No. 42, Sec. 22 is amended to read:

Sec. 22. PROPERTY TRANSACTIONS; MISCELLANEOUS

\* \* \*

(b)(1) The Commissioner of Buildings and General Services is authorized to transfer a ~~20-by-20-foot parcel~~ two contiguous tracts of land totaling approximately 3,152 square feet located on the Monocacy National Battlefield Park located at 5201 Urbana Pike, Frederick, Maryland, to the United States National Park Service.

\* \* \*

Sec. 22. NAMING STATE BUILDING AND FACILITIES; REPORT  
CAPITOL COMPLEX COMMISSION; DEPARTMENT OF  
LIBRARIES

(a) Intent. It is the intent of the General Assembly to establish a plan for naming State buildings and facilities in the Capitol Complex in Montpelier and Statewide.

(b) Capitol Complex Commission. On or before January 15, 2021, the Capitol Complex Commission shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with recommendations for a process to name State buildings and facilities in the Capitol Complex, as defined in 29 V.S.A. § 182.

(c) Department of Libraries. On or before January 15, 2021, the Department of Libraries shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with recommendations for a process to name all State buildings and facilities, except for buildings and facilities located in the Capitol Complex, as defined in 29 V.S.A. § 182.

\* \* \* COVID-19 Emergency \* \* \*

#### Sec. 23. COVID-19 EMERGENCY RESPONSE; REALLOCATIONS

(a) Intent. In response to the unprecedented challenges posed by the COVID-19 pandemic, the General Assembly acknowledges that continued funding of capital projects and infrastructure will help boost our local economy and support the health and welfare of Vermonters. Accordingly, it is the intent of the General Assembly that the projects funded in this capital construction act will serve to support and help drive growth in Vermont's economy during this uncertain time.

(b) Reallocation authority. Notwithstanding 29 V.S.A. § 152(a)(20) and (a)(25) nor any other provision of law, the Emergency Board, in consultation with the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, is authorized to reallocate any project balances from any capital construction acts for any capital expenditures associated with the COVID-19 emergency response.

(c) Report. On or before August 15, 2020, the Commissioner of Finance and Management, in consultation with the Joint Fiscal Office and the Office of Legislative Council, shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions, with a review of all capital expenditures associated with the COVID-19 emergency response, an assessment of whether CARES Act funding may be used to address any capital expenditures, whether any other federal funds are available to meet those needs, and an assessment of any General Fund need that may qualify as a capital expenditure.

\* \* \* Education \* \* \*

#### Sec. 24. 2016 Acts and Resolves No. 93, Sec. 4 is amended to read:

##### Sec. 4. EFFECTIVE DATES

\* \* \*

(b) Sec. 3 of this act shall take effect on ~~July 1, 2020~~ July 1, 2022.

\* \* \* Electric Vehicles \* \* \*

#### Sec. 25. FUNDING FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT

(a) The Agency of Transportation shall establish and administer, through a memorandum of understanding with the Department of Housing and Community Development, a program to support the continued buildout of electric vehicle supply equipment available to the public and build upon the existing VW EVSE Grant Program that the Department of Housing and Community Development has been administering on behalf of the Department of Environmental Conservation.

(b) The Agency is authorized to spend up to \$750,000.00, as appropriated in Sec. 12 of this act, on the Program established in this section in fiscal year 2021. This funding shall initially be used to support grants for the construction and operation of direct current (DC) fast-charging stations strategically located to fill gaps in the State's highway corridor fast-charging network. Any remaining funds may be used to support strategically located level 2 workplace charging.

(c) Grant recipients shall disclose a fee schedule to the Department of Housing and Community Development demonstrating a required user fee for electric vehicle charging that accounts for expenses associated with the equipment, including but not limited to electricity costs.

(d) The Department of Housing and Community Development shall consult with an interagency team consisting of the Commissioner of Housing and Community Development or designee, the Commissioner of Environmental Conservation or designee, the Commissioner of Health or designee, the Commissioner of Public Service or designee, and the Agency's Division Director of Policy, Planning, and Intermodal Development or designee on all major decisions regarding the administration of this Program.

#### Sec. 26. ELECTRIC VEHICLE CHARGING STATIONS; DEPARTMENT OF BUILDINGS AND GENERAL SERVICES; FEE

Pursuant to 32 V.S.A. § 604, the Department of Buildings and General Services shall charge a fee for consumption of power associated with electric vehicle supply equipment under the jurisdiction of the Department of Buildings and General Services when the electric vehicle supply equipment is available to the public and capable of charging a fee.

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

#### Sec. 27. BRATTLEBORO RETREAT

(a) For the amount appropriated in Sec. 2 of this act, amending 2019 Acts and Resolves No. 42, Sec. 3(c)(4), the Brattleboro Retreat must comply with

the following provisions:

(1) The Retreat shall deliver to the Agency of Human Services monthly reports covering financial performance upon passage of this bill. All financial reports shall be delivered by the end of the month for the previous month's fiscal performance period. Financial reports shall include the following:

(A) income statement, with narrative;

(B) balance sheet, with narrative;

(C) cash flow statement, with narrative;

(D) accounts payable update and summary, with narrative;

(E) accounts receivable update and summary, with narrative; and

(F) a copy of the standard monthly financial package that is provided to the Finance Committee of the Board of Trustees.

(2) The Retreat shall follow best practices outlined in the March 2020 Best Practices Memorandum and ensure compliance with Medicaid billing practices and provider enrollment.

(3) The Retreat shall keep the Agency advised of any event or occurrence that materially impacts its financial stability, performance, staffing service delivery capacity, or viability.

(4) The Retreat shall provide information to the Department of Mental Health necessary for its statutory oversight responsibilities.

(5) The Retreat shall work with the Department of Mental Health to develop an initial strategic plan for the long-term reuse of the renovated facilities to meet future system of care needs.

(6) The Retreat shall provide the State access to the 12 level-1 beds, constructed pursuant to 2018 Acts and Resolves No. 190, Sec. 2, for a period determined by the Secretary of Human Services to be in the best interests of the State.

(7) The Retreat shall adhere to the terms and conditions of the contract with the Department of Mental Health for the operation of the 12 level-1 beds constructed pursuant to 2018 Acts and Resolves No. 190, Sec. 2.

(b) The Brattleboro Retreat, the Agency of Human Services, and the Department of Buildings and General Services shall provide a report at the July and September Joint Fiscal Committee meetings that includes the following information:

(1) the Retreat financial reports, including income statement, balance sheet, and cash flow projections;

(2) the status of the 12 level-1 beds, constructed pursuant to 2018 Acts

and Resolves No. 190, Sec. 2, including anticipated opening date and cost estimates to complete;

(3) an update on the development of a long-term strategic plan that analyzes current and future needs of the service delivery priorities and role of the Retreat in Vermont's mental health system of care; and

(4) an update on the strategic plan for the long-term reuse of the renovated facility to meet future system of care needs.

Sec. 28. 2019 Acts and Resolves No. 42, Sec. 31 is amended to read:

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~~ June 1, 2021, 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.

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

Sec. 29. 10 V.S.A. § 1283a is added to read:

§ 1283a. CONTAMINANTS OF EMERGING CONCERN SPECIAL FUND

(a) The Contaminants of Emerging Concern Special Fund is established pursuant to 32 V.S.A. chapter 7, subchapter 5 to provide grants to public water systems responding to or remediating emerging contaminants in a public water supply. The Secretary of Natural Resources shall administer the Fund and may make disbursements from the Fund for the following costs:

(1) investigation of an actual or threatened impact to or contamination of natural resources or public assets presented by an emerging contaminant;

(2) reimbursement to any person for:

(A) expenditures made to provide alternative water supplies or to take other emergency measures deemed necessary by the Secretary to protect human health from emerging contaminants; or

(B) expenditures by a public asset to pay for the treatment or disposal of an emerging contaminant;

(3) payment of the costs of oversight or conducting assessment of a natural resource where injury has resulted or is likely to result from of an



emerging contaminant; or

(4) payment of the costs of oversight or conducting restoration, replacement, or rehabilitation of a natural resource injured by an emerging contaminant.

(b) The Secretary may bring an action under this section or other available State and federal laws to enforce the obligation to repay the Fund.

(c) As used in this section:

(1) "Emerging contaminant" means:

(A) a hazardous material as defined in subdivision 6602(16) of this title;

(B) any constituent for which the Department of Health has established a health advisory; or

(C) any constituent that the Secretary determines is an imminent and substantial endangerment to human health, natural resources, or public assets.

(2) "Natural resources" means fish, wildlife, biota, air, surface water, groundwater, wetlands, drinking water supplies, or State-held public lands.

(3) "Public asset" means:

(A) any wastewater treatment facility permitted under chapter 47 of this title;

(B) any public water system or noncommunity system permitted under chapter 56 of this title;

(C) any potable water supply permitted under chapter 64 of this title;

or

(D) any facility for the disposal of solid waste permitted under chapter 159, provided that the facility did not know that the waste was an emerging contaminant at the time of disposal.

(4) "Secretary" shall mean Secretary of Natural Resources.

(d) Nothing in this section shall be construed to preclude, supplant, or limit any other statutory or common-law rights or remedies.

\* \* \* State House \* \* \*

Sec. 30. 2 V.S.A. § 651 is amended to read:

§ 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE HOUSE

(a) The Legislative Advisory Committee on the State House is created.

\* \* \*

(d) The Committee shall meet at the State House at least one time ~~during the months of July and December~~ when the General Assembly is in session and at least one time when the General Assembly is not in session or at the call of the Chair. The Commissioner of Buildings and General Services shall keep minutes of the meetings and maintain a file thereof.

(e) The Committee shall have the assistance of the Office of Legislative Council.

Sec. 31. 2 V.S.A. § 653 is amended to read:

§ 653. FUNCTIONS

(a)(1) The Legislative Advisory Committee on the State House shall be consulted on all activities relating to the acquisition and care of paintings and historic artifacts and furnishings, and the refurbishing, renovation, preservation, and expansion of the building and its interior.

(2) The Legislative Advisory Committee on the State House shall develop a plan for the acquisition or commission of artwork for the State House collection that represents Vermont's diverse people and history, including diversity of gender, race, ethnicity, sexuality, and disability status.

\* \* \*

Sec. 32. STATE HOUSE ARTWORK AND PORTRAIT PROJECT;  
LEGISLATIVE ADVISORY COMMITTEE ON THE STATE  
HOUSE; REPORT

(a) Intent. It is the intent of the General Assembly:

(1) to expand the State House artwork and portrait collection to represent the diverse stories of those who have significantly contributed to Vermont's history;

(2) to give special consideration to the State House as a place of employment for a diverse workforce and as an institution of public education for students and members of the general public; and

(3) that the State have a policy of including diverse leadership stories that reflect all of Vermont's history when acquiring or commissioning artistic representations for the State House art collection.

(b) Policy. It is the policy of the General Assembly that the State House art collection shall reflect:

(1) those who have served as leaders and have significantly contributed to the history of Vermont;

(2) those whose service relates to the State or the Abenaki Nation, the civil rights of Vermonters, the legislative process, or the operation of the State House;

(3) stories of significance to a community, a tribe, or historical moments that demonstrate the diverse nature of Vermont's people and history; or

(4) the natural landscapes and environmental features of the State of Vermont.

(c) Plan. Pursuant to 2 V.S.A. § 653, the Legislative Advisory Committee on the State House, in consultation with the State Curator, shall develop a plan for the acquisition or commission of artwork for the State House collection that incorporates the intent and policies described in subsections (a) and (b) of this section.

(d) Recommendations. The Committee, in consultation with the public and relevant experts, including Vermont historians, artists, and diverse community leaders, shall research and recommend significant historical Vermont leadership stories that warrant artistic inclusion in the State House art collection using the intent and policies described in subsections (a) and (b) of this section.

(e) Report. On or before March 1, 2021, the Committee shall submit a written report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with the plan and recommendations described in this section and any recommendations for legislative action.

Sec. 33. 29 V.S.A. § 154a is amended to read:

§ 154a. STATE CURATOR

(a) Creation. The position of State Curator is created within the Department of Buildings and General Services.

(b) Duties. The State Curator's responsibilities shall include:

(1) oversight of the general historic preservation of the State House, including maintaining the historical integrity of the State House and works of art in the State House;

(2) interpretation of the State House to the visiting public through exhibits, publications, and tours; and

(3) acquisition, management, and care of State collections of art and historic furnishings, provided that any works of art for the State House are acquired pursuant to the requirements of 2 V.S.A. § 653(a).

(c) Acquisition policy. In coordination with the Legislative Advisory Committee on the State House, and in accordance with the plan developed pursuant to 2 V.S.A. § 653, the State Curator shall adopt an acquisition policy

that ensures that the acquisition of art for the State House reflects a diversity of artistic media and artists, the natural history of the State, and the diversity of the people and stories of Vermont throughout the history of the State.

(d) Interpretive plan. In coordination with the Friends of the Vermont State House and the Vermont Historical Society, the State Curator shall create an interpretive plan that tells the stories of the State House art collection through accessible written, multimedia, and oral means. The plan shall include appropriate and inclusive training of State House volunteers and staff.

\* \* \* Department of Public Service \* \* \*

#### Sec. 34. BROADBAND EXPANSION; INTENT

On or before September 1, 2020, it is the intent of the General Assembly to review the use of any unexpended funds from the \$900,000.00 appropriated to the Department of Public Service in 2017 Acts and Resolves No. 84, Sec. 16c, as amended by 2018 Acts and Resolves No. 190, Sec. 14, for broadband expansion in FY 2021.

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

#### Sec. 35. EFFECTIVE DATE

This act shall take effect on passage.