

1 Introduced by Committee on Corrections and Institutions

2 Date:

3 Subject: Capital construction; State bonding; budget adjustment

4 Statement of purpose of bill as introduced: This bill proposes to adjust the
5 FY 2021 capital construction budget.

6 An act relating to capital construction and State bonding budget adjustment

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

8 * * * Capital Appropriations * * *

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

10 Sec. 2. STATE BUILDINGS

11 * * *

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

13 * * *

14 (7) Montpelier, State House, new drapes and carpeting or carpeting

15 repair in the Governor's ceremonial office and the vestibule near the

16 Governor's ceremonial office, the Hall of Flags, the Cedar Creek Room, the

17 Senate Secretary's Office, and the carpeting or carpeting repair in the Card

18 Room: \$45,000.00

19 * * *

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

2 * * *

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

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

5 \$7,500,000.00 \$7,400,000.00

6 (6) Montpelier, State House, ~~historical restorations~~ new drapes and

7 carpeting or carpeting repair in the Governor's ceremonial office or in the

8 vestibule near the Governor's ceremonial office, the Hall of Flags, Senate

9 Secretary's Office, and carpeting or carpeting repair in the Card Room:

10 \$75,000.00

11 * * *

12 (11) Montpelier, State House, HVAC, planning and design to address air

13 quality and mold issues: \$500,000.00

14 (12) Newport, Orleans County Courthouse, replacement, site acquisition,

15 planning, and design for a stand-alone courthouse with no retail space:

16 \$1,500,000.00

17 (13) Windsor, costs to renovate space at the former Southeast State

18 Correctional Facility associated with the relocation of the Department of Fish

19 and Wildlife and the Department of Forests, Parks and Recreation from the

20 Springfield State Office Building: \$700,000.00

1 Commissioner of Buildings and General Services and the Commissioner of
2 Corrections shall provide monthly updates on the status of the analysis to the
3 Joint Legislative Justice Oversight Committee.

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

8	Appropriation – FY 2020		\$20,323,423.00
9	Appropriation – FY 2021	\$21,325,813.00	\$24,086,890.00
10	Total Appropriation – Section 2	\$41,649,236.00	\$44,410,313.00

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

12 Sec. 3. HUMAN SERVICES

13 * * *

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

17 * * *

18 (4) Brattleboro, Brattleboro Retreat, level 1 bed project construction:

19 \$1,500,000.00

20 (5) Windsor and St. Johnsbury, site preparation, relocation and rebuild

21 of a greenhouse at the Caledonia County Workcamp from the former Southeast

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

4 * * *

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

6 (3) Engineering and construction grants related to improvements for
7 public water systems with confirmed concentrations of PFAS exceeding
8 20 nanograms per liter and on a do-not-drink notice: \$550,000.00

9 * * *

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

15 (2) For the amount appropriated in subdivision (f)(3) of this section, the
16 Agency shall use \$50,000.00 for grants to reimburse any schools that operate
17 public water systems with confirmed concentrations of PFAS exceeding
18 20 nanograms per liter and on a do-not-drink notice for their costs of providing
19 bottled or bulk water.

20 (3) Any recovery or repayment of funds appropriated by subdivision
21 (f)(3) of this section from a person responsible for the contamination of a

1 public water system receiving those funds shall be used for future capital
2 construction acts.

3 Appropriation – FY 2020 \$9,025,807.00 \$8,975,807.00

4 Appropriation – FY 2021 \$7,341,400.00 \$7,912,538.00

5 Total Appropriation – Section 10 \$16,367,207.00 \$16,888,345.00

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

7 Sec. 11. CLEAN WATER INITIATIVES

8 * * *

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

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

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

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

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

1 (k)(1) The following sums are appropriated in FY 2021 to the Vermont

2 Housing and Conservation Board for the following projects:

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

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

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

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

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

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

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

14 Sec. 12. MILITARY

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

18 (b) The sum of ~~\$800,000.00~~ \$1,420,000.00 is appropriated in FY 2021 to
19 the Department of Military for the projects described in subsection (a) of this
20 section.

21	Appropriation – FY 2020	\$700,000.00
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1 Appropriation – FY 2021 \$800,000.00 \$1,420,000.00
2 Total Appropriation – Section 12 \$1,500,000.00 \$2,120,000.00

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

4 Sec. 13. PUBLIC SAFETY

5 * * *

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

10 Appropriation – FY 2020 \$2,200,000.00
11 Appropriation – FY 2021 \$5,400,000.00 \$7,400,000.00
12 Appropriation – Section 13 \$7,600,000.00 \$9,600,000.00

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

14 Sec. 14. AGRICULTURE, FOOD AND MARKETS

15 * * *

16 (c) The sum of ~~\$200,000.00~~ \$280,000.00 is appropriated in FY 2021 to the
17 Department of Buildings and General Services for the Agency of Agriculture,
18 Food and Markets for major maintenance at the Vermont building of the
19 Eastern States Exposition.

20 Appropriation – FY 2020 \$300,000.00
21 Appropriation – FY 2021 \$200,000.00 \$280,000.00

1 Total Appropriation – Section 14 \$500,000.00 \$580,000.00

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

3 Sec. 18. VERMONT HOUSING AND CONSERVATION BOARD

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

6 (b) The sum of ~~\$1,800,000.00~~ \$3,800,000.00 is appropriated in FY 2021 to
7 the Vermont Housing and Conservation Board for ~~the project described in~~
8 ~~subsection (a) of this section~~ housing and conservation projects.

9 Appropriation – FY 2020 \$1,800,000.00

10 Appropriation – FY 2021 ~~\$1,800,000.00~~ \$3,800,000.00

11 Total Appropriation – Section 18 ~~\$3,600,000.00~~ \$5,600,000.00

12 Sec. 12. AGENCY OF TRANSPORTATION

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

15 (b) The following sums are appropriated in FY 2021 to the Agency of

16 Transportation for the following projects:

17 (1) Lamoille Valley Rail Trail: \$2,100,000.00

18 (2) Electric Vehicle Equipment (EVSE) Grant Program: \$750,000.00

19 (c) For the amount appropriated in subdivision (b)(1) of this section, if

20 matching federal funds are not available or if federal funds do not require a

1 state match, the funds shall be used for projects in a future capital construction
2 act.

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

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

15	<u>Appropriation – FY 2020</u>	<u>\$50,000.00</u>
16	<u>Appropriation – FY 2021</u>	<u>\$2,850,000.00</u>
17	<u>Total Appropriation – Section 12</u>	<u>\$2,900,000.00</u>

1 upon sealed bids in the discretion of the Commissioner of Buildings and
2 General Services, who may reject any or all bids. Notice of the sale or a
3 request for sealed bids shall be posted in at least three public places in the town
4 where the property is located and also published three times in a newspaper
5 having a known circulation in the town, the last publication to be not less than
6 10 days before the date of sale or opening of the bids. Failing to consummate a
7 sale under the method prescribed in this section, the Commissioner of
8 Buildings and General Services is authorized to list the sale of this property
9 with a real estate agent licensed by the State of Vermont. This subsection shall
10 not apply to ~~exchanges of lands~~ the sale, conveyance, exchange, or lease of
11 lands or interests in lands; to the amendment of deeds, leases, and easements;
12 or to sales of timber made in accordance with the provisions of 10 V.S.A.
13 chapter ~~55 or to the sale of land or interests in land made in accordance with~~
14 155 or the provisions of 10 V.S.A. chapter 83.

15 * * *

16 Sec. 19. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
17 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,
18 Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves

1 No. 190, Sec. 18, and 2019 Acts and Resolves No. 42, Sec. 25, is further
2 amended to read:

3 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
4 2020 July 1, 2021.

5 Sec. 20. NAMING OF BALDWIN STREET; MONTPELIER

6 Due to the COVID-19 pandemic, the General Assembly was unable to work
7 with the City of Montpelier to rename Baldwin Street in honor of Governor
8 Philip Hoff. During the 2021 legislative session, it is the intent of the General
9 Assembly to address renaming Baldwin Street in Montpelier in his honor.

10 Sec. 21. OFFICE RELOCATION; LEGISLATIVE STAFF

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

17 * * * Corrections * * *

18 Sec. 22. WOMEN’S REENTRY DATA; DEPARTMENT OF

19 CORRECTIONS; REPORT

20 (a) The Department of Corrections shall develop a bed-count capacity
21 estimate and a programming framework for a potential new Women’s Reentry

1 Center to be managed by the Department of Corrections. The estimate and
2 programming framework shall incorporate the related findings, analysis, and
3 recommendations on Justice Reinvestment II in Vermont by the Council of
4 State Governments.

5 (b) On or before October 15, 2020, the Department of Corrections shall
6 provide a draft report of the work described in subsection (a) of this section to
7 the Joint Legislative Justice Oversight Committee, the House Committee on
8 Corrections and Institutions, and the Senate Committees on Institutions and on
9 Judiciary outlining progress and identifying hinderances to the completion of
10 the final report. On or before December 15, 2020, the Department shall submit
11 a final report to the Joint Legislative Justice Oversight Committee, the House
12 Committee on Corrections and Institutions, and the Senate Committees on
13 Institutions and on Judiciary.

14 * * * COVID-19 Emergency * * *

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

16 (a) Intent. In response to the unprecedented challenges posed by the
17 COVID-19 pandemic, the General Assembly acknowledges that continued
18 funding of capital projects and infrastructure will help boost our local economy
19 and support the health and welfare of Vermonters. Accordingly, it is the intent
20 of the General Assembly that the projects funded in this capital construction

1 act will serve to support and help drive growth in Vermont’s economy during
2 this uncertain time.

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

9 * * * Education * * *

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

11 Sec. 4. EFFECTIVE DATES

12 * * *

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

14 * * * Electric Vehicles * * *

15 Sec. 25. FUNDING FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT

16 (a) The Agency of Transportation shall establish and administer, through a
17 memorandum of understanding with the Department of Housing and
18 Community Development, a program to support the continued buildout of
19 electric vehicle supply equipment available to the public and build upon the
20 existing VW EVSE Grant Program that the Department of Housing and

1 Community Development has been administering on behalf of the Department
2 of Environmental Conservation.

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

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

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

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

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

8 * * * Human Services * * *

9 Sec. 27. BRATTLEBORO RETREAT

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

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

17 (A) income statement, with narrative;

18 (B) balance sheet, with narrative;

19 (C) cash flow statement, with narrative;

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

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

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

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

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

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

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

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

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

