

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	<u>\$24,086,890.00</u>
10	Total Appropriation – Section 2	\$41,649,236.00	<u>\$44,410,313.00</u>

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

2 Sec. 8. UNIVERSITY OF VERMONT

3 (a) The sum of \$1,300,000.00 is appropriated in FY 2020 to the University
4 of Vermont for construction, renovation, and major maintenance at any facility
5 owned or operated in the State by the University of Vermont.

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

8 * * *

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

10 Sec. 9. VERMONT STATE COLLEGES

11 (a) The sum of \$2,100,000.00 is appropriated in FY 2020 to the Vermont
12 State Colleges for construction, renovation, and major maintenance at any
13 facility owned or operated in the State by the Vermont State Colleges.

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

16 * * *

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

18 Sec. 10. NATURAL RESOURCES

19 * * *

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

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
----	-------------------------	--------------

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

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 <u>\$7,400,000.00</u>
12	Appropriation – Section 13	\$7,600,000.00 <u>\$9,600,000.00</u>

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 <u>\$280,000.00</u>

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 (f) Of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 9(d)
2 (Montpelier Flood Control) to the Agency of Natural Resources, the amount of
3 \$21,137.83 in unexpended funds is reallocated to defray expenditures
4 authorized in this act.

5 (g) Of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 16
6 (electronic medical records) to the Vermont Veterans’ Home, the amount of
7 \$497,483.00 in unexpended funds is reallocated to defray expenditures in this
8 act.

9 (h) Of the amount appropriated in 2012 Acts and Resolves No. 104, Sec. 8,
10 amending 2011 Acts and Resolves No. 40, Sec. 12 (Vermont Drinking Water
11 Revolving Loan Fund), the amount of \$130,000.00 in unexpended funds is
12 reallocated to defray expenditures in this act.

13 (i) Of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 15
14 (State House security), the amount of \$94.67 in unexpended funds is
15 reallocated to defray expenditures in this act.

16 Total Reallocations and Transfers – Section 20 \$1,375,341.06 \$1,647,854.50
17 Sec. 14. GENERAL OBLIGATION BONDS AND APPROPRIATIONS;

18 FY 2021

19 The State Treasurer is authorized to issue additional general obligation
20 bonds in the amount of \$11,634,361.00 that were previously authorized but

1 unissued under 2019 Acts and Resolves No. 42 for the purpose of funding the
2 appropriations in this act.

3 Total Revenues – Section 10 \$11,634,361.00

4 * * * Policy * * *

5 * * * Buildings and General Services * * *

6 Sec. 15. SALE OF ENOSBURG ARMORY

7 Notwithstanding 20 V.S.A. § 542 or any other provision of law to the
8 contrary, on or before December 31, 2020, the Board of Armory
9 Commissioners is authorized to sell the Enosburg Armory building located at
10 134 Pearl Street in Enosburg Falls to the Town of Enosburgh for below fair
11 market value, provided that the building is for municipal purposes only. If the
12 Town of Enosburgh no longer uses the building for municipal purposes, the
13 State shall have the right of first refusal.

14 Sec. 16. 2018 Acts and Resolves No. 190, Sec. 1, amending 2017 Acts and
15 Resolves No. 84, Sec. 2(17), is further amended to read:

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

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

20 § 157. FACILITIES CONDITION ANALYSIS

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

1 (b) Upon authorization by the General Assembly, which may be granted by
2 resolution, and with the advice and consent of the Governor, the Commissioner
3 of Buildings and General Services may sell real estate owned by the State.
4 Such property shall be sold to the highest bidder therefor at public auction or
5 upon sealed bids in the discretion of the Commissioner of Buildings and
6 General Services, who may reject any or all bids. Notice of the sale or a
7 request for sealed bids shall be posted in at least three public places in the town
8 where the property is located and also published three times in a newspaper
9 having a known circulation in the town, the last publication to be not less than
10 10 days before the date of sale or opening of the bids. Failing to consummate a
11 sale under the method prescribed in this section, the Commissioner of
12 Buildings and General Services is authorized to list the sale of this property
13 with a real estate agent licensed by the State of Vermont. This subsection shall
14 not apply to ~~exchanges of lands~~ the sale, conveyance, exchange, or lease of
15 lands or interests in lands; to the amendment of deeds, leases, and easements;
16 or to sales of timber made in accordance with the provisions of 10 V.S.A.
17 chapter ~~55 or to the sale of land or interests in land made in accordance with~~
18 155 or the provisions of 10 V.S.A. chapter 83.

19 * * *

20 Sec. 19. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
21 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,

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

4 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
5 2020 July 1, 2021.

6 Sec. 20. NAMING OF BALDWIN STREET; MONTPELIER

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

11 Sec. 21. OFFICE RELOCATION; LEGISLATIVE STAFF

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

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

19 **Sec. 22. PROPERTY TRANSACTIONS; MISCELLANEOUS**

20 *** * ***

1 a final report to the Joint Legislative Justice Oversight Committee, the House
2 Committee on Corrections and Institutions, and the Senate Committees on
3 Institutions and on Judiciary.

4 * * * COVID-19 Emergency * * *

5 Sec. 24. COVID-19 EMERGENCY RESPONSE; REALLOCATIONS

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

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

19 * * * Education * * *

20 Sec. 25. 2016 Acts and Resolves No. 93, Sec. 4 is amended to read:

21 Sec. 4. EFFECTIVE DATES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

* * *

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

* * * Electric Vehicles * * *

Sec. 26. 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

1 electric vehicle charging that accounts for expenses associated with the
2 equipment, including but not limited to electricity costs.

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

10 Sec. 27. ELECTRIC VEHICLE CHARGING STATIONS; DEPARTMENT
11 OF BUILDINGS AND GENERAL SERVICES; FEE

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

17 * * * Human Services * * *

18 Sec. 28. BRATTLEBORO RETREAT

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

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

5 (A) income statement, with narrative;

6 (B) balance sheet, with narrative;

7 (C) cash flow statement, with narrative;

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

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

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

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

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

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

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

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

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

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

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

17 (2) the status of the 12 level-1 beds, constructed pursuant to 2018 Acts
18 and Resolves No. 190, Sec. 2, including anticipated opening date and cost
19 estimates to complete;

