

1 TO THE HONORABLE SENATE:

2 The Committee on Institutions to which was referred House Bill No. 543
3 entitled “An act relating to capital construction and State bonding” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 * * * Capital Appropriations * * *

8 Sec. 1. LEGISLATIVE INTENT

9 (a) It is the intent of the General Assembly that of the \$123,180,000.00
10 authorized in this act, not more than \$XXXXXXXX shall be appropriated in the
11 first year of the biennium, and the remainder shall be appropriated in the
12 second year.

13 (b) It is the intent of the General Assembly that in the second year of the
14 biennium, any amendments to the appropriations or authorities granted in this
15 act shall take the form of a Capital Construction and State Bonding Adjustment
16 Bill. It is the intent of the General Assembly that unless otherwise indicated,
17 all appropriations in this act are subject to capital budget adjustment.

18 Sec. 2. STATE BUILDINGS

19 (a) The following sums are appropriated to the Department of Buildings
20 and General Services (BGS), and the Commissioner is authorized to direct
21 funds appropriated in this section to the projects contained in this section;

1 however, no project shall be canceled unless the Chairs of the Senate
2 Committee on Institutions and the House Committee on Corrections and
3 Institutions are notified before that action is taken.

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

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

6 \$XXXXXXXX

7 (2) Statewide, physical security enhancements:

\$XXXXXXXX

8 (3) Statewide, major maintenance:

\$XXXXXXXX

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

\$XXXXXXXX

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

11 \$XXXXXXXX

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

13 \$XXXXXXXX

14 (7) Montpelier, State House, new carpeting or carpeting repair near the
15 Governor's ceremonial office, the Cedar Creek Room, and the Card Room:

16 \$XXXXXXXX

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

18 \$XXXXXXXX

19 (9) Newport, Northeast State Correctional Facility, direct digital HVAC
20 control system replacement:

\$XXXXXXXX

21 (10) Rutland, Asa Bloomer, major renovation:

\$XXXXXXXX

1	<u>(11) Southern State Correctional Facility, door control project:</u>	
2		<u>XXXXXXXXXX</u>
3	<u>(c) The following sums are appropriated in FY 2021:</u>	
4	<u>(1) Statewide, BGS engineering and architectural project costs:</u>	
5		<u>XXXXXXXXXX</u>
6	<u>(2) Statewide, physical security enhancements:</u>	<u>XXXXXXXXXX</u>
7	<u>(3) Statewide, major maintenance:</u>	<u>XXXXXXXXXX</u>
8	<u>(4) Statewide, planning, use, and contingency:</u>	<u>XXXXXXXXXX</u>
9	<u>(5) Burlington, 108 Cherry Street, parking garage repairs:</u>	
10		<u>XXXXXXXXXX</u>
11	<u>(6) Montpelier, State House, historical restorations:</u>	<u>XXXXXXXXXX</u>
12	<u>(7) Montpelier, Department of Labor, facilities modernization project:</u>	
13		<u>XXXXXXXXXX</u>
14	<u>(8) Newport, Northeast State Correctional Facility, direct digital HVAC</u>	
15	<u>control system replacement:</u>	<u>XXXXXXXXXX</u>
16	<u>(9) Rutland, Asa Bloomer, major renovation:</u>	<u>XXXXXXXXXX</u>
17	<u>(10) Southern State Correctional Facility, door control project:</u>	
18		<u>XXXXXXXXXX</u>
19	<u>Appropriation – FY 2020</u>	<u>XXXXXXXXXX</u>
20	<u>Appropriation – FY 2021</u>	<u>XXXXXXXXXX</u>
21	<u>Total Appropriation – Section 2</u>	<u>XXXXXXXXXX</u>

1 when evaluating site locations, preference shall be first given to State-owned
2 property.

3 (3) The Commissioner of Buildings and General Services shall notify
4 the House Committee on Corrections and Institutions and the Senate
5 Committee on Institutions at least monthly of updates on the recommendation
6 described in this subsection.

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

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

10 (A) \$3,250,000.00 upon passage of the act, which shall include
11 \$250,000 to be used as described in Sec. 30 of this act (First Installment);

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

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

16 (2) Reports. On or before September 1 and November 1, the Secretary
17 of Human Services and the Secretary of Digital Services shall submit a report
18 on the status of the project. The September and November reports shall
19 include status updates on the projects scheduled for completion in calendar
20 year 2019, as described in the memo from the IT Consultant for the Joint Fiscal
21 Office to the Legislative Joint Fiscal Office, dated April 5, 2019. The

1 September and November reports shall be submitted to the Chair and Vice
2 Chair of the Joint Information Technology Oversight Committee, the Chairs of
3 the House Committees on Corrections and Institutions and on Health Care, and
4 the Senate Committees on Health and Welfare and on Institutions. A copy of
5 each report shall also be submitted to the Joint Fiscal Committee.

6 (3) Recommendations and approvals.

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

17 (B) Prior to the November meeting of the Joint Fiscal Committee, the
18 Chair and Vice Chairs of the Joint Information Technology Oversight
19 Committee, the Chairs of the House Committees on Corrections and
20 Institutions and on Health Care, and the Senate Committees on Health and
21 Welfare and on Institutions, shall provide recommendations to the Joint Fiscal

1 Committee on whether to approve the Third Installment. The Joint Fiscal
2 Committee shall review at its November meeting the report described in
3 subdivision (2) of this subsection (f), consider the recommendations described
4 in this subdivision (3)(B), and vote on whether to approve the Third
5 Installment.

6	<u>Appropriation – FY 2020</u>	<u>\$XXXXXXXX</u>
7	<u>Appropriation – FY 2021</u>	<u>\$XXXXXXXX</u>
8	<u>Total Appropriation – Section 3</u>	<u>\$XXXXXXXX</u>

9 Sec. 4. JUDICIARY

10 The sum of \$XXXXXXXX is appropriated in FY 2020 to the Judiciary for
11 the case management IT system.

12	<u>Appropriation – FY 2020</u>	<u>\$XXXXXXXX</u>
13	<u>Total Appropriation – Section 4</u>	<u>\$XXXXXXXX</u>

14 Sec. 5. COMMERCE AND COMMUNITY DEVELOPMENT

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

18	<u>(1) Major maintenance at historic sites statewide:</u>	<u>\$XXXXXXXX</u>
19	<u>(2) Schooner Lois McClure, repairs and upgrades:</u>	<u>\$XXXXXXXX</u>
20	<u>(3) Highgate Native American Cemetery, slope stabilization, Monument</u>	
21	<u>Road:</u>	<u>\$XXXXXXXX</u>

1 (7) To the Department of Buildings and General Services for the
2 Regional Economic Development Grant Program: \$XXXXXXXX

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

5 (9) To the Enhanced 911 Board for the Enhanced 911 Compliance
6 Grants Program: \$XXXXXXXX

7 (b) The following sums are appropriated in FY 2021 for Building
8 Communities Grants established in 24 V.S.A. chapter 137:

9 (1) To the Agency of Commerce and Community Development,
10 Division for Historic Preservation, for the Historic Preservation Grant
11 Program: \$XXXXXXXX

12 (2) To the Agency of Commerce and Community Development,
13 Division for Historic Preservation, for the Historic Barns Preservation Grant
14 Program: \$XXXXXXXX

15 (3) To the Vermont Council on the Arts for the Cultural Facilities Grant
16 Program, the sum of which may be used to match funds that may be made
17 available from the National Endowment for the Arts, provided that all capital
18 funds are made available to the cultural facilities grant program: \$XXXXXXXX

19 (4) To the Department of Buildings and General Services for the
20 Recreational Facilities Grant Program: \$XXXXXXXX

1 Appropriation – FY 2021 XXXXXXXXXX

2 Total Appropriation – Section 7 XXXXXXXXXX

3 Sec. 8. UNIVERSITY OF VERMONT

4 (a) The sum of XXXXXXXX is appropriated in FY 2020 to the University
5 of Vermont for construction, renovation, and major maintenance.

6 (b) The sum of XXXXXXXX is appropriated in FY 2021 to the University
7 of Vermont for the projects described in subsection (a) of this section.

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

14 Appropriation – FY 2020 XXXXXXXXXX

15 Appropriation – FY 2021 XXXXXXXXXX

16 Total Appropriation – Section 8 XXXXXXXXXX

17 Sec. 9. VERMONT STATE COLLEGES

18 (a) The sum of XXXXXXXX is appropriated in FY 2020 to the Vermont
19 State Colleges for construction, renovation, and major maintenance.

20 (b) The sum of XXXXXXXX is appropriated in FY 2021 to the Vermont
21 State Colleges for the projects described in subsection (a) of this section.

1 abutting 49.6 acres in the Town of Johnson) containing the Long Trail tread
2 way.

3 (e) The sum of \$XXXXXXXX is appropriated in FY 2020 to the Vermont
4 Association of Snow Travelers, Inc. for the STP LVRT(y) project for
5 improvements to the Lamoille Valley Rail Trail.

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

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

10 \$XXXXXXXX

11 (2) Dam safety and hydrology projects:

\$XXXXXXXX

12 (g) The sum of \$XXXXXXXX is appropriated in FY 2021 to the Agency of
13 Natural Resources for the Department of Forests, Parks and Recreation for
14 infrastructure rehabilitation, including statewide small-scale rehabilitation,
15 wastewater repairs, preventive improvements and upgrades of restrooms and
16 bathhouses, and statewide small-scale road rehabilitation projects.

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

20 (1) General infrastructure projects, including small-scale maintenance
21 and rehabilitation of infrastructure:

\$XXXXXXXX

1	<u>(2) Lake Champlain Walleye Association Inc. to upgrade and repair the</u>	
2	<u>Walleye rearing, restoration, and stocking infrastructure:</u>	<u>\$XXXXXXXX</u>
3	<u>Appropriation – FY 2020</u>	<u>\$XXXXXXXX</u>
4	<u>Appropriation – FY 2021</u>	<u>\$XXXXXXXX</u>
5	<u>Total Appropriation – Section 10</u>	<u>\$XXXXXXXX</u>

6 Sec. 11. CLEAN WATER INITIATIVES

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

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

12 (1) Water Pollution Control Fund, Clean Water State/EPA Revolving
13 Loan Fund (CWSRF) match: \$XXXXXXXX

14 (2) Municipal Pollution Control Grants, pollution control projects and
15 planning advances for feasibility studies: \$XXXXXXXX

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

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

1 (d)(1) The following sums are appropriated in FY 2020 to the Vermont

2 Housing and Conservation Board for the following projects:

3 (A) Agricultural water quality projects: \$XXXXXXXX

4 (B) Land conservation and water quality projects: \$XXXXXXXX

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 (e) The sum of \$XXXXXXXX is appropriated in FY 2021 to the Agency of
11 Natural Resources for the Department of Environmental Conservation for
12 clean water implementation projects.

13 (f) On or before December 1, 2019:

14 (1) the Clean Water Board shall review and recommend Clean Water
15 Act implementation programs funded from subdivision (e) of this section; and

16 (2) the Board shall submit the list of programs recommended for FY
17 2021 to the Chairs of the House Committee on Corrections and Institutions and
18 the Senate Committee on Institutions and to the Governor for the FY 2021
19 capital budget adjustment report.

1 Pilot Program to provide capital-eligible equipment to support adult tech
2 programs.

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

5 Appropriation – FY 2020 \$XXXXXXXX

6 Appropriation – FY 2021 \$XXXXXXXX

7 Total Appropriation – Section 15 \$XXXXXXXX

8 Sec. 17. SERGEANT AT ARMS

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

11 (1) initial installation and configuration of the core components required
12 for the General Assembly audio system (backbone) and the installation and
13 configuration of the specific House Chamber components: \$XXXXXXXX

14 (2) chairs for Committee rooms: \$XXXXXXXX

15 (b) The Sergeant at Arms shall issue a request for proposal to hire a vendor
16 to plan, design, and install the project described in subdivision (a)(1) of this
17 section.

18 Appropriation – FY 2020 \$XXXXXXXX

19 Total Appropriation – Section 17 \$XXXXXXXX

1 (a) The following sums are reallocated to the Department of Buildings
2 and General Services from prior capital appropriations to defray expenditures
3 authorized in Sec. 2 of this act:

4 (1) of the amount appropriated in 2017 Acts and Resolves No. 160,
5 Sec. 13(c) (Waterbury State Office Complex): \$33,404.00

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

8 (b) Of the amount appropriated in 2015 Acts and Resolves No. 26,
9 Sec. 8(a)(2) (school construction) to the Agency of Education, the amount of
10 \$1,225,076.00 in unexpended funds reallocated to the Department of Buildings
11 and General Services to defray expenditures authorized in Sec. 2 of this act.

12 (c) Of the amount appropriated in 2018 Acts and Resolves No. 190,
13 Sec. 5(d)(4) (Civil War Heritage Trail Sign) to the Agency of Commerce and
14 Community Development, the amount of \$29,948.00 in unexpended funds is
15 reallocated to the Department of Buildings and General Services to defray
16 expenditures authorized in Sec. 2 of this act:

17 (d) Of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 3
18 (cellular and broadband infrastructure) to the Vermont Telecommunications
19 Authority for capital construction projects, the amount of \$76,836.66 in
20 unexpended funds is reallocated to the Department of Buildings and General
21 Services to defray expenditures authorized in Sec. 2 of this act:

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

2 Jay, Vermont;

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

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

5 Vermont.

6 (2) Notwithstanding 29 V.S.A. § 166(d), the net proceeds of the sale of

7 the properties described in subdivision (1) of this subsection (a) shall be

8 transferred to the Newport Economic Development Settlement Fund at the

9 Department of Economic Development (Dept ID 7120010481).

10 (b)(1) The Commissioner of Buildings and General Services is authorized

11 to transfer a 20-by-20-foot parcel located on the Monocacy National Battlefield

12 Park located at 5201 Urbana Pike, Frederick, Maryland, to the United States

13 National Park Service.

14 (2) The Commissioner of Buildings and General Services, on behalf of

15 the Division for Historic Preservation, is also authorized to enter into an

16 agreement to transfer the 10th Vermont Volunteer Infantry Regiment

17 Monument at the Monocacy National Battlefield Park in Frederick, Maryland,

18 to the United States National Park Service. The transfer shall be subject to

1 conditions that ensure rights of access, public visitation, and preservation of
2 the Monument.

3 Sec. 23. 2016 Acts and Resolves No. 88, Sec. 3a is amended to read:

4 Sec. 3a. REPEAL

5 2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is
6 repealed on ~~June 30, 2019~~ June 30, 2021.

7 Sec. 24. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
8 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58, Sec.
9 113.1, 2017 Acts and Resolves No. 84, Sec. 29, and 2018 Acts and Resolves
10 No. 190, Sec. 19 is further amended to read:

11 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
12 ~~2019~~ July 1, 2020.

13 Sec. 25. STATE HOUSE SPACE; SHORT-TERM; ASSESSMENT

14 On or before January 15, 2020, the Sergeant at Arms and the Commissioner
15 of Buildings and General Services shall conduct an assessment of space needs
16 for legislative staff and Capitol Police offices in the State House and prepare a
17 report with options for space reconfiguration to the House Committee on
18 Corrections and Institutions and the Senate Committee on Institutions.

1 Assembly that the State shall replace the Middlesex Secure Residential

2 Recovery Facility by:

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

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

11 (b) On or before December 15, 2019, the Department shall submit a
12 report to the House Committees on Appropriations, on Corrections and
13 Institutions, and on Health Care and to the Senate Committees on
14 Appropriations, on Institutions, and on Health and Welfare containing an
15 analysis of operating secure residential recovery beds at Rutland
16 Regional Medical Center and Rutland Mental Health Services.

17 Sec. 29. DEPARTMENT OF DISABILITIES, AGING, AND

18 INDEPENDENT LIVING; RULEMAKING

19 The Department of Disabilities, Aging, and Independent Living shall amend
20 its rules, pursuant to 3 V.S.A. chapter 25, pertaining to therapeutic community
21 residences to allow secure residential recovery facilities to utilize emergency

1 involuntary procedures so that those amended rules are finally adopted on or
2 before June 1, 2020, unless that deadline is extended by the Legislative
3 Committee on Administrative Rules pursuant to 3 V.S.A. § 843(c). These
4 rules shall be identical to the rules adopted by the Department of Mental
5 Health that govern the use of emergency involuntary procedures in psychiatric
6 inpatient units.

7 * * * Information Technology * * *

8 Sec. 30. INFORMATION TECHNOLOGY REVIEW

9 (a) The Executive Branch shall transfer, upon request, one vacant position
10 for use in the Legislative Joint Fiscal Office (JFO) for a staff position, or the
11 JFO may hire a consultant, to provide support to the General Assembly to
12 conduct independent reviews of State information technology projects and
13 operations.

14 (b) The Secretary of Digital Services shall:

15 (1) provide to the JFO access to the reviews conducted by Independent
16 Verification and Validation (IVV) firms hired to evaluate the State's current
17 and planned information technology project, as requested;

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

1 **(b) Career and Technical Education Centers are the only eligible applicants**
2 **for grants awarded under the Program. Grants may only be awarded to**
3 **applicants who demonstrate how use of the grant-funded equipment will be**
4 **shared with at least on other Career and Technical Education Center, a State**
5 **correctional facility, or an accredited post-secondary college or university**
6 **located in Vermont.**

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

9 **(1) meets current occupational demand, as evidenced by current labor**
10 **market information;**

11 **(2) aligns with a career pathway or set of stackable credentials involving**
12 **a college or university accredited in Vermont;**

13 **(3) ~~guarantees delivery of equipment to more than one region of the~~**
14 **State is supported with a business or industry partnership;**

15 **(4) is supported with a business or industry partnership;**

16 **(5) sets forth how equipment will be maintained, insured, shared, and**
17 **transported, if applicable; and**

18 **(6) is endorsed by the Adult Career and Technical Education**
19 **Association.**

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

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

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

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

15 (1) how the funds were used, expected outcomes, recommended
16 performance metrics to ensure success of the program, and any other relevant
17 information that would inform future decisions about the use of this program;

18 (2) assessment of the functionality and accessibility of shared-
19 equipment agreements; and

20 (3) how, and the extent to which, the program shall be funded in the
21 future.

1

2

3 (Committee vote: _____)

4

5

Senator _____

6

FOR THE COMMITTEE