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Act No. 50 (438). Appropriations and finance; property; State construction; bonding

An act relating to capital construction and State bonding

This act sets out the State's fiscal year 2022 and fiscal year 2023 capital budget and authorizes the State to issue general obligation bonds in the amount of \$123,180,000.00 and to reallocate \$4,198,694.44 from prior capital appropriations. It also provides that there will be a budget adjustment process in the second year of the biennium and that fiscal year 2023 appropriations are subject to budget adjustment unless otherwise specified. This act also:

Appropriations

- Appropriates capital funds in the amount of \$123,378,694.00 over two years for capital construction projects
- Appropriates \$7,102,300.00 in fiscal year 2022 and \$7,350,000.00 in fiscal year 2023 to statewide major maintenance projects
- Appropriates \$3,624,474.00 in fiscal year 2022 and \$3,747,442.00 in fiscal year 2023 in BGS engineering and architectural project costs
- Appropriates \$3,100,000.00 in fiscal year 2022 for the parking garage at 108 Cherry Street in Burlington
- Appropriates \$2,535,000.00 in fiscal year 2022 for HVAC renovations at the State House in Montpelier
- Appropriates \$11,600,000.00 in fiscal year 2022 to replace the Middlesex Secure Residential Recovery Facility
- Appropriates \$500,000 in fiscal year 2022 and \$1,000,000.00 in fiscal year 2023 for replacement of women's correctional facilities
- Appropriates \$2,100,000.00 in fiscal year 2022 and \$2,100,000.00 in fiscal year 2023 for the Building Communities Grants Program
- Appropriates \$1,500,000 in fiscal year 2022 and \$1,500,000 in fiscal year 2023 for construction, renovation, and major maintenance at any facility owned or operated in the State by the University of Vermont

- Appropriates \$2,000,000 in fiscal year 2022 and \$2,000,000 in fiscal year 2023 for construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges
- Appropriates \$2,215,714 in fiscal year 2022 and \$2,213,211.00 in fiscal year 2023 to the Drinking Water State Revolving Fund
- Appropriates \$5,000,000.00 in fiscal year 2022 and \$4,476,553.00 in fiscal year 2023 to the Department of Forests, Parks and Recreation for various infrastructure projects
- Appropriates \$1,264,500.00 in fiscal year 2022 and \$1,083,500 in fiscal year 2023 to the Department of Fish and Wildlife for general infrastructure projects
- Appropriates \$11,000,000.00 in fiscal year 2022 and \$11,000,000.00 in fiscal year 2023 for various clean water initiatives
- Appropriates \$5,620,000.00 in fiscal year 2022 for construction of the Williston Public Field Safety Field Station
- Appropriates \$1,800,000.00 in fiscal year 2022 and \$1,800,000.00 in fiscal year 2023 to the Vermont Housing and Conservation Board for housing and conservation projects

Clean Water Initiatives

- Directs the Clean Water Fund Board to review and recommend Clean Water Act implementation programs for fiscal year 2023 funding and submit a list of recommended programs to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and the Governor for inclusion in the fiscal year 2023 capital budget report by December 1, 2021

Department of Buildings and General Services (BGS)

- Creates the Former Southeast State Correctional Facility Use Study Committee to review and recommend potential uses for the property located at 546 State Farm Road in Windsor
- Authorizes the Commissioner of Buildings and General Services to:
 - sell the property located at 13 Baldwin Street in Montpelier
 - sell the Williston Public Safety Barracks property
- Extends the sunset for the Capitol Complex Security Advisory Committee to June 30, 2023

Federal Funds

- Directs the Commissioner of Finance and Management to use any FY 22 appropriations for water and sewer infrastructure offset with federal funds

from the American Rescue Plan for future capital projects in the FY 22–23 capital budget adjustment process

- Directs the Legislative, Executive, and Judicial Branches to recommend a list of priority projects using federal funds from the Coronavirus Capital Projects Funds to carry out critical capital projects in response to the COVID-19 pandemic

Historic Preservation

- Authorizes the Secretary of Transportation and the Director of the Division for Historic Preservation to determine how to best preserve the New Haven Depot Building by relocating it to another parcel. Also authorizes the Commissioner of Buildings and General Services to execute a quit claim deed to transfer any interest in the Building subject to a preservation easement to be held by the Division for Historic Preservation.

Human Services

- Provides that the 16-bed secure residential recovery facility shall be located at the location of the former Woodside Juvenile Rehabilitation Center and shall include two eight-bed wings, and that the facility shall not use emergency involuntary procedures.
- Directs the Department of Mental Health to issue a request for information by August 1, 2021 from designated and specialized service agencies and peer-run agencies for developing and implementing programming for unlocked community residences for transitional support for individuals being discharged from inpatient psychiatric care or for intervention to prevent inpatient care. Also directs the Department of Mental Health to convene a steering group to review the responses to the RFI.
- Repeals the authority of the Department of Disabilities, Aging and Independent Living to adopt rules pertaining to the therapeutic community residences to allow secure residential recovery facilities to utilize emergency involuntary procedures.

Legislature

- Sets forth use of space by the Legislative Branch in the Capitol Complex
- Adds two members to the Legislative Advisory Committee on the State House
- Requires the Legislative Advisory Committee on the State House to review and make recommendations on any space and design proposals for the State House

Natural Resources

- Limits to 25 percent the amount of a grant award to a municipality for engineering planning that may be used to evaluate land use implications of facilities and allows a municipality to contract with a regional planning commission to administer and manage a planning advance
- Sets a moratorium on the Department of Environmental Conservation issuing lake encroachment permits for the intentional sinking of a vessel in any lake or pond within the jurisdiction of the Department until July 1, 2024

Effective Date: June 1, 2021