

H.438

An act relating to capital construction and State bonding

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

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$127,378,694.00 authorized in this act, not more than \$70,074,988.00 shall be appropriated in the first year of the biennium, and the remainder shall be appropriated in the second year.

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

Sec. 2. STATE BUILDINGS

(a) The following sums are appropriated to the Department of Buildings and General Services, and the Commissioner is authorized to direct funds appropriated in this section to the projects contained in this section; however, no project shall be canceled unless the Chairs of the Senate Committee on Institutions and the House Committee on Corrections and Institutions are notified before that action is taken.

(b) The following sums are appropriated in FY 2022:

<u>(1) Statewide, major maintenance:</u>	<u>\$7,102,300.00</u>
<u>(2) Statewide, BGS engineering and architectural project costs:</u>	<u>\$3,624,474.00</u>
<u>(3) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
<u>(4) Statewide, planning, use and contingency:</u>	<u>\$500,000.00</u>
<u>(5) Burlington, 108 Cherry Street, parking garage repairs:</u>	<u>\$3,100,000.00</u>
<u>(6) Montpelier, State House, maintenance of interior historic finishes:</u>	<u>\$50,000.00</u>
<u>(7) Montpelier, State House, exhibition, interpretation design and construction:</u>	<u>\$40,000.00</u>
<u>(8) Newport, courthouse replacement, planning and design:</u>	<u>\$500,000.00</u>
<u>(9) Rutland, Asa Bloomer, major renovation:</u>	<u>\$400,000.00</u>
<u>(10) Springfield, Southern State Correctional Facility, door control system replacement:</u>	<u>\$2,800,000.00</u>
<u>(11) Waterbury, State Office Complex, historic core, roof replacements:</u>	<u>\$1,000,000.00</u>

(c) The following sums are appropriated in FY 2023:

<u>(1) Statewide, major maintenance:</u>	<u>\$7,350,000.00</u>
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<u>(2) Statewide, BGS engineering and architectural project costs:</u>	<u>\$3,747,442.00</u>
<u>(3) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
<u>(4) Statewide, planning, use and contingency:</u>	<u>\$500,000.00</u>
<u>(5) Montpelier, State House, maintenance of interior historic finishes:</u>	<u>\$55,000.00</u>
<u>(6) Montpelier, State House, exhibition, interpretation design and construction:</u>	<u>\$45,000.00</u>
<u>(7) Newport, courthouse replacement, design:</u>	<u>\$525,000.00</u>
<u>(8) Rutland, Asa Bloomer, major renovation:</u>	<u>\$1,575,000.00</u>
<u>(9) Waterbury, State Office Complex, historic core, roof replacements:</u>	<u>\$3,200,000.00</u>
<u>(10) White River Junction, courthouse, renovation:</u>	<u>\$1,500,000.00</u>
<u>(11) Brattleboro, courthouse, re-roof:</u>	<u>\$100,000.00</u>
<u>(12) Burlington, 32 Cherry Street, parking garage renovations planning, design, and construction:</u>	<u>\$865,000.00</u>
<u>(13) Montpelier, 111 State Street, renovation of stack area, HVAC upgrades, and elevator:</u>	<u>\$158,000.00</u>
<u>(14) Montpelier, 120 State Street, steam lines, interior renovations:</u>	<u>\$525,000.00</u>
<u>(15) Montpelier, State House, HVAC renovations:</u>	<u>\$2,535,000.00</u>

<u>(16) Rutland, multimodal garage renovation:</u>	<u>\$600,000.00</u>
<u>(17) Statewide, three-acre parcel, stormwater planning, design and implementation:</u>	<u>\$600,000.00</u>
<u>(18) Statewide, correctional facilities, door control system replacements:</u>	<u>\$670,000.00</u>
<u>Appropriation – FY 2022</u>	<u>\$19,366,774.00</u>
<u>Appropriation – FY 2023</u>	<u>\$24,800,442.00</u>
<u>Total Appropriation – Section 2</u>	<u>\$44,167,216.00</u>

Sec. 3. HUMAN SERVICES

(a) The following sums are appropriated in FY 2022 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

<u>(1) Secure Residential Recovery Facility, design and construction:</u>	<u>\$11,600,000.00</u>
<u>(2) Women’s correctional facilities, replacement:</u>	<u>\$500,000.00</u>
<u>(3) Statewide, correctional facility, life safety and security needs and enhancements:</u>	<u>\$250,000.00</u>

(b) The following sums are appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Human Services for the following projects described in this subsection:

<u>(1) Women’s correctional facilities, replacement:</u>	<u>\$1,000,000.00</u>
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(2) Statewide, correctional facility, life safety and security needs and enhancements: \$200,000.00

(c) The amount appropriated in subdivision (a)(1) of this section shall be used to construct a 16-bed Secure Residential Recovery Facility on Parcel ID# 200-5-003-001 as designated on the Town of Essex's Tax Parcel Maps for transitional support for individuals who are being discharged from inpatient psychiatric care. Through interior fit-up, versus building redesign, the 16-bed facility shall include two eight-bed wings designed with the capability to allow for separation of one wing from the main section of the facility, if necessary. Both wings shall be served by common clinical and activity spaces. Neither wing shall include a locked seclusion area, and the facility shall not use emergency involuntary procedures. Outdoor space shall be adequate for exercise and other activities but not less than 10,000 square feet.

(d) For the amount appropriated in subdivision (a)(2) of this section, the Commissioner of Corrections and the Commissioner of Buildings and General Services shall determine space and programming needs for any State-owned and operated women's reentry and correctional facilities.

<u>Appropriation – FY 2022</u>	<u>\$12,350,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$1,200,000.00</u>
<u>Total Appropriation – Section 3</u>	<u>\$13,550,000.00</u>

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2022 to the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$350,000.00</u>
<u>(2) Underwater preserves:</u>	<u>\$35,000.00</u>
<u>(3) Placement and replacement of roadside historic markers:</u>	<u>\$25,000.00</u>
<u>(4) Unmarked Burial Fund:</u>	<u>\$63,000.00</u>

(b) The following sums are appropriated in FY 2023 to the Agency of Commerce and Community Development for the following projects described in this subsection:

<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$350,000.00</u>
<u>(2) Underwater preserves:</u>	<u>\$25,000.00</u>
<u>(3) Placement and replacement of roadside historic markers:</u>	<u>\$25,000.00</u>

(c) The Agency shall not authorize reefing of the M/V *Adirondack*.

(d) For the amount appropriated in subdivision (a)(2), not more than \$10,000.00 shall be used to open not more than three new sites in FY 2022.

<u>Appropriation – FY 2022</u>	<u>\$473,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$400,000.00</u>

Total Appropriation – Section 4 \$873,000.00

Sec. 5. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2022 for Building
Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development,
Division for Historic Preservation, for the Historic Preservation Grant
Program: \$300,000.00

(2) To the Agency of Commerce and Community Development,
Division for Historic Preservation, for the Historic Barns Preservation Grant
Program: \$300,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant
Program, the sum of which may be used to match funds that may be made
available from the National Endowment for the Arts, provided that all capital
funds are made available to the Cultural Facilities Grant Program:
\$300,000.00

(4) To the Department of Buildings and General Services for the
Recreational Facilities Grant Program: \$300,000.00

(5) To the Department of Buildings and General Services for the Human
Services and Educational Facilities Competitive Grant Program (Human
Services): \$150,000.00

(6) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program (Education):

\$150,000.00

(7) To the Department of Buildings and General Services for the Regional Economic Development Grant Program:

\$300,000.00

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

\$300,000.00

(b) The following sums are appropriated in FY 2023 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program:

\$300,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program:

\$300,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made available from the National Endowment for the Arts, provided that all capital funds are made available to the Cultural Facilities Grant Program:

\$300,000.00

(4) To the Department of Buildings and General Services for the
Recreational Facilities Grant Program: \$300,000.00

(5) To the Department of Buildings and General Services for the Human
Services and Educational Facilities Competitive Grant Program (Human
Services): \$150,000.00

(6) To the Department of Buildings and General Services for the Human
Services and Educational Facilities Competitive Grant Program (Education):
\$150,000.00

(7) To the Department of Buildings and General Services for the
Regional Economic Development Grant Program: \$300,000.00

(8) To the Agency of Agriculture, Food and Markets for the Agricultural
Fairs Capital Projects Competitive Grant Program: \$300,000.00

Appropriation – FY 2022 \$2,100,000.00

Appropriation – FY 2023 \$2,100,000.00

Total Appropriation – Section 5 \$4,200,000.00

Sec. 6. EDUCATION

(a) The sum of \$50,000.00 is appropriated in FY 2022 to the Agency of
Education for funding emergency projects.

(b) The sum of \$50,000.00 is appropriated in FY 2023 to the Agency of
Education for the projects described in subsection (a) of this section.

Appropriation – FY 2022 \$50,000.00

<u>Appropriation – FY 2023</u>	<u>\$50,000.00</u>
<u>Total Appropriation – Section 6</u>	<u>\$100,000.00</u>

Sec. 7. UNIVERSITY OF VERMONT

(a) The sum of \$1,500,000.00 is appropriated in FY 2022 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 \$1,500,000.00 is appropriated in FY 2023 to the University of Vermont for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$1,500,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$1,500,000.00</u>
<u>Total Appropriation – Section 7</u>	<u>\$3,000,000.00</u>

Sec. 8. VERMONT STATE COLLEGES

(a) The sum of \$2,000,000.00 is appropriated in FY 2022 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 following sums are appropriated in FY 2023 to the Vermont State Colleges for the projects described in subsection:

(1) construction, renovation, and major maintenance at any facility owned or operated in the State by the Vermont State Colleges: \$2,000,000.00

(2) infrastructure transformation planning: \$100,000.00

<u>Appropriation – FY 2022</u>	<u>\$2,000,000.00</u>
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<u>Appropriation – FY 2023</u>	<u>\$2,100,000.00</u>
<u>Total Appropriation – Section 8</u>	<u>\$4,100,000.00</u>

Sec. 9. NATURAL RESOURCES

(a) The following sums are appropriated in FY 2022 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

<u>(1) Drinking Water Supply, Drinking Water State Revolving Fund:</u>	<u>\$2,215,714.00</u>
<u>(2) Dam safety and hydrology projects:</u>	<u>\$310,000.00</u>
<u>(3) Waterbury Dam Spillway Project:</u>	<u>\$750,000.00</u>
<u>(4) Contaminants of Emerging Concern Special Fund:</u>	<u>\$500,000.00</u>

(b) The following sums are appropriated in FY 2022 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

<u>(1) Infrastructure rehabilitation, including statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects:</u>	<u>\$5,000,000.00</u>
<u>(2) Gifford Woods and Groton Forest Park, maintenance facilities:</u>	<u>\$480,000.00</u>
<u>(3) Three-acre stormwater rule compliance:</u>	<u>\$325,000.00</u>

(4) Rustic Cabin Construction Program: \$500,000.00

(c) The sum of \$1,264,500.00 is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Fish and Wildlife for general infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure.

(d) The sum of \$85,000.00 is appropriated in FY 2022 to the Green Mountain Club Inc. to conserve 12.9-acres of forested land in the Town of Johnson containing the Long Trail treadway and the future location of an off-road trailhead parking area.

(e) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the projects described in this subsection:

(1) Drinking Water Supply, Drinking Water State Revolving Fund:
\$2,213,211.00

(2) Dam safety and hydrology projects: \$805,000.00

(3) Waterbury Dam Spillway Project: \$750,000.00

(f) The following sums are appropriated in FY 2023 to the Agency of Natural Resources for the Department of Forests, Parks and Recreation for the following projects:

(1) Infrastructure rehabilitation, including statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of

restrooms and bathhouses, and statewide small-scale road rehabilitation

projects: \$4,476,553.00

(2) Rustic Cabin Construction Program: \$500,000.00

(g) The sum of \$1,083,500.00 is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Fish and Wildlife for general infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure.

Appropriation – FY 2022 \$11,430,214.00

Appropriation – FY 2023 \$9,828,264.00

Total Appropriation – Section 9 \$21,258,478.00

Sec. 10. CLEAN WATER INITIATIVES

(a) The sum of \$3,436,109.00 is appropriated in FY 2022 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.

(b) The following sums are appropriated in FY 2022 to the Agency of Natural Resources for the Department of Environmental Conservation projects described in this subsection:

(1) Water Pollution Control Fund, Clean Water State/EPA Revolving

Loan Fund (CWSRF) match: \$1,563,891.00

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

(c) The sum of \$500,000.00 is appropriated in FY 2022 to the Agency of Natural Resources for forestry access roads, recreation access roads, and water quality improvements.

(d)(1) The following sums are appropriated in FY 2022 to the Vermont Housing and Conservation Board for the following projects:

(A) Agricultural water quality projects: \$900,000.00

(B) Land conservation and water quality projects: 1,300,000.00

(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.

(e) The sum of \$11,000,000.00 is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for clean water implementation projects.

(f) For the amount appropriated in subdivision (b)(2) of this section, the Department of Environmental Conservation shall prioritize the initial \$1,732,747.00 for legacy projects.

(g) On or before December 1, 2021:

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

(2) the Board shall submit the list of programs recommended for FY 2023 to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the FY 2022 capital budget adjustment report.

(h) In FY 2022 and FY 2023, any agency that receives funding from this section shall consult with the State Treasurer to ensure that the projects are capital eligible.

<u>Appropriation – FY 2022</u>	<u>\$11,000,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$11,000,000.00</u>
<u>Total Appropriation – Section 10</u>	<u>\$22,000,000.00</u>

Sec. 11. MILITARY

(a) The sum of \$900,000.00 is appropriated in FY 2022 to the Department of Military for maintenance, renovations, and ADA compliance at State armories.

(b) The sum of \$900,000.00 are appropriated in FY 2023 to the Department of Military for the projects described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$900,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$900,000.00</u>
<u>Total Appropriation – Section 11</u>	<u>\$1,800,000.00</u>

Sec. 12. PUBLIC SAFETY

(a) The following sums are appropriated in FY 2022 to the Department of Buildings and General Services for the Department of Public Safety for the following projects:

(1) Williston Public Safety Field Station, construction: \$5,620,000.00

(2) Middlesex Field Station, renovation: \$500,000.00

(b) The sum of \$50,000.00 is appropriated in FY 2023 to the Department of Public Safety for a feasibility study for the Vermont Police Academy in Pittsford.

Appropriation – FY 2022 \$6,120,000.00

Appropriation – FY 2023 \$50,000.00

Appropriation – Section 12 \$6,170,000.00

Sec. 13. AGRICULTURE, FOOD AND MARKETS

(a) The sum of \$260,000.00 is appropriated in FY 2022 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.

(b) The sum of \$350,000.00 is appropriated in FY 2023 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for the project described in subsection (a) of this section.

Appropriation – FY 2022 \$260,000.00

<u>Appropriation – FY 2023</u>	<u>\$350,000.00</u>
<u>Total Appropriation – Section 13</u>	<u>\$610,000.00</u>

Sec. 14. VERMONT RURAL FIRE PROTECTION

(a) The sum of \$100,000.00 is appropriated in FY 2022 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the dry hydrant program.

(b) The sum of \$100,000.00 is appropriated in FY 2023 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force for the project described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$100,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$100,000.00</u>
<u>Total Appropriation – Section 14</u>	<u>\$200,000.00</u>

Sec. 15. DEPARTMENT OF LABOR

(a) The sum of \$500,000.00 is appropriated in FY 2022 to the Department of Buildings and General Services for the Department of Labor for upgrades of mechanical systems and HVAC, life safety needs, and minor interior renovations at 5 Green Mountain Drive in Montpelier.

(b) The sum of \$1,000,000.00 is appropriated in FY 2023 to the Department of Buildings and General Services for the Department of Labor for the project described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$500,000.00</u>
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<u>Appropriation – FY 2023</u>	<u>\$1,000,000.00</u>
<u>Total Appropriation – Section 15</u>	<u>\$1,500,000.00</u>

Sec. 16. VERMONT HOUSING AND CONSERVATION BOARD

(a) The sum of \$1,800,000.00 is appropriated in FY 2022 to the Vermont Housing and Conservation Board for housing and conservation projects.

(b) The sum of \$1,800,000.00 is appropriated in FY 2023 to the Vermont Housing and Conservation Board for the project described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$1,800,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$1,800,000.00</u>
<u>Total Appropriation – Section 16</u>	<u>\$3,600,000.00</u>

Sec. 17. AGENCY OF DIGITAL SERVICES

(a) The sum of \$125,000.00 is appropriated in FY 2022 to the Agency of Digital Services for digital orthophotography mapping.

(b) The sum of \$125,000.00 is appropriated in FY 2023 to the Agency of Digital Services for the project described in subsection (a) of this section.

<u>Appropriation – FY 2022</u>	<u>\$125,000.00</u>
<u>Appropriation – FY 2023</u>	<u>\$125,000.00</u>
<u>Total Appropriation – Section 17</u>	<u>\$250,000.00</u>

Sec. 18. 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 Acts and Resolves No. 84, Sec. 2(b)(11) (109 and 111 State Street, design): \$45,128.00

(2) 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): \$31,250.00

(3) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 2, as amended by 2020 Acts and Resolves No. 139, Sec. 1 (Windsor, costs to renovate space at the former Southeast State Correctional Facility):
\$700,000.00

(b) Of the amount appropriated to the Department of Buildings and General Services for the Agency of Human Services in 2019 Acts and Resolves No. 42, Sec. 3(c)(3) (Justice Reinvestment II), the sum of \$249,841.00 is reallocated to defray expenditures authorized in this act.

(c) The following sums appropriated to the Department of Labor from prior capital appropriations are reallocated to defray expenditures authorized in this act:

(1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 16a, as 2018 Acts and Resolves No. 190, Sec. 12: \$133,399.66

(2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 16(a): \$296,294.00

(3) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 16(b): \$299,809.00

(d) The following sums appropriated to the Department of Public Safety from prior capital appropriations are reallocated to defray expenditures authorized in this act:

(1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec. 13, as amended by 2018 Acts and Resolves No. 190, Sec. 10(c) (school safety and security grant program): \$955,822.94

(2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec. 13(b) (school safety and security grant program): \$588,698.84

(e) Of the amount 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, the sum of \$898,451.00 is reallocated to defray expenditures authorized in this act.

Total Reallocations and Transfers – Section 18 \$4,198,694.44

Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

The State Treasurer is authorized to issue general obligation bonds in the amount of \$123,180,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

Total Revenues – Section 19 \$123,180,000.00

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* * * Buildings and General Services * * *

Sec. 20. USE OF FORMER SOUTHEAST STATE CORRECTIONAL
FACILITY; WINDSOR; STUDY COMMITTEE; REPORT

(a) Creation. There is created 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.

(b) Membership. The Committee shall be composed of the following members:

(1) an individual appointed by the Town of Windsor Selectboard;

(2) the Executive Director of the Mount Ascutney Regional Commission or designee;

(3) the Commissioner of Buildings and General Services or designee;

(4) the Secretary of Agriculture, Food and Markets or designee;

(5) the Executive Director of the Vermont Housing and Conservation Board or designee;

(6) the Secretary of Commerce and Community Development or designee; and

(7) the Secretary of Natural Resources or designee.

(c) Powers and duties. The Committee shall review options for the potential use of the land located at 546 State Farm Road in Windsor. As part of the Committee's review, it shall consider the following reports:

(1) Plan to provide secure transitional housing for inmates reentering the community, dated November 1, 2017, as required by 2017 Act and Resolves No. 85, Sec. 335.1;

(2) Report on AHS Major Facilities, dated January 15, 2018, as required by 2017 Acts and Resolves No. 84, Sec. 31; and

(3) Report on an act relating to the Southeast State Correctional Facility, dated December 15, 2018, as required by 2018 Acts and Resolves No. 151.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Department of Buildings and General Services.

(e) Report. On or before December 15, 2021, the Committee shall submit a written report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with its findings and any recommendations for use of the property.

(f) Meetings.

(1) The Commissioner of Buildings and General Services shall call the first meeting of the Committee to occur on or before July 15, 2021.

(2) The Executive Director of the Mount Ascutney Regional Commission shall be the chair.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on July 1, 2022.

(g) Compensation and reimbursement. A non-State employee member of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more than six meetings. These payments shall be made from monies appropriated in Sec. 2(b)(1) of this act.

Sec. 21. NEW HAVEN DEPOT BUILDING; RELOCATION

(a)(1) The General Assembly finds that the building located at 5450 Ethan Allen Highway in the Town of New Haven (the New Haven Depot Building), owned by the Agency of Commerce and Community Development, Division of Historic Preservation pursuant to Executive Order No. 22, dated

November 26, 1975, must be relocated to meet the safety standards required for the changing operations of rail service.

(2) The General Assembly also finds that the land at 5450 Ethan Allen Highway in the Town of New Haven, is owned by the Agency of Transportation pursuant to Executive Order No. 29-8, dated March 22, 1983.

(b)(1) the Secretary of the Agency of Transportation, which owns the land on which the depot is located, and the Director of the Division for Historic Preservation, which owns the historic building, are authorized to determine how best to preserve the New Haven Depot Building by relocating it to another parcel.

(2) The Commissioner of Buildings and General Services is authorized to execute a quit claim deed to transfer any existing or future interest in the New Haven Depot Building. The transfer shall be subject to a preservation easement to be held by the Division for Historic Preservation.

(c) If the State Historic Preservation Officer and the Secretary of Transportation deem a relocation of the New Haven Depot Building is not physically or financially practicable, the State Historic Preservation Officer, in coordination with the Commissioner of Buildings and General Services and the Secretary of Transportation, is authorized to decommission the building and delist it from the National Register of Historic Places.

Sec. 22. 2018 Acts and Resolves No. 84, Sec. 2(c)(12) is amended to read:

(12) Montpelier, 133 State Street, renovations of mainframe workspace
to Office Space (~~Agency of Digital Services~~): \$700,000.00

Sec. 23. 2016 Acts and Resolves No. 88, Sec. 3a, as amended by 2019 Acts
and Resolves No. 42, Sec. 24, is further amended to read:

Sec. 3a. REPEAL

2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is
repealed on ~~June 30, 2024~~ June 30, 2023.

Sec. 24. 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, and 2020 Acts
and Resolves No. 139, Sec. 19, is further amended to read:

(c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
~~2024~~ July 1, 2023.

* * * Federal Funds * * *

Sec. 25. PROCESS FOR USE OF FEDERAL FUNDS; FY 2022 AND FY
2023; WATER AND SEWER INFRASTRUCTURE

(a) Intent. It is the intent of the General Assembly that, to the extent
permitted by federal law and guidance, the amounts appropriated in this act
should be offset by using federal funds provided to the State by the American

Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local Coronavirus Fiscal Recovery Funds whenever possible for capital projects supporting water and sewer infrastructure. Any appropriation so offset shall be used for future capital construction projects in the fiscal year 2022 capital budget adjustment process.

(b) Offset with federal funds. If the Commissioner of Finance and Management determines that any FY 2022 appropriations for water and sewer infrastructure may be offset by using federal funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local Coronavirus Fiscal Recovery Funds, the Commissioner of Finance and Management is authorized to substitute the federal funds for capital funds. The Commissioner shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of any substitution of funds in accordance with this subsection. Any State capital funds offset pursuant to this section shall be used for future capital construction projects in the FY 2022 capital budget adjustment process.

(c) Report. On or before December 15, 2021, the Commissioner shall review and recommend water and sewer infrastructure projects funded in FY 2023 of this act and submit a list of any recommended substitutions and additional amounts of federal funds that may be used for FY 2023 to the Chairs of the House Committee on Corrections and Institutions and the Senate

Committee on Institutions and to the Governor for the FY 2022–2023 capital budget adjustment report.

(d) Reservation of funds. In accordance with this section, the Commissioner of Finance and Management may reserve not more than \$30,000,000.00 for substitution of federal funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local Coronavirus Fiscal Recovery Funds pursuant to subsection (a) of this section, and is authorized to substitute not more than \$15,000,000.00 in FY 2022. Of the \$30,000,000.00, any remaining unexpended amounts not substituted in FY 2022 may be used in FY 2023.

Sec. 26. FEDERAL FUNDS; CAPITAL PROJECTS

(a) Intent. It is the intent of the General Assembly, to the extent permitted by federal law and guidance, to use federal funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. 117-2, in the Coronavirus Capital Projects Fund for capital projects necessary for the Executive, Legislative, and Judicial Branches in response to the COVID-19 pandemic.

(b) Designated uses. In FY 2022, the federal funds provided to the State by the American Rescue Plan Act of 2021, Pub. L. 117-2, in the Coronavirus Capital Projects Fund for necessary capital projects in response to the COVID-19 pandemic shall be designated as follows:

(1) The amount of \$62,000,000.00 shall be allocated to the Agency of Human Services for mental health and correctional infrastructure.

(2) The amount of \$51,000,000.00 shall be allocated for infrastructure for the Legislative and Judicial Branches.

(c) Recommendation.

(1) For the designated use described in subdivision (b)(1) of this section, on or before December 15, 2021, the Commissioner of Finance and Management shall submit recommendations on the use of federal funds from the Coronavirus Capital Projects Fund for FY 2023 to the House Committee on Corrections and Institutions and the Senate Committee on Institutions and to the Governor for the FY 2022–2023 capital budget adjustment report.

(2) For the designated use described in subdivision (b)(2) of this section, on or before January 15, 2022, the Joint Legislative Management Committee shall submit recommendations on the use of federal funds from the Coronavirus Capital Projects Fund for infrastructure in the Legislative Branch, and the Court Administrator shall submit recommendations on the use of federal funds from the Coronavirus Capital Projects Fund for infrastructure in the Judicial Branch, to the House Committee on Corrections and Institutions and the Senate Committee on Institutions for allocation in the FY 2022–2023 Capital Budget Adjustment Act.

* * * Human Services * * *

Sec. 27. SPENDING ON MENTAL HEALTH SYSTEM OF CARE;

LEGISLATIVE INTENT

It is the intent of the General Assembly that any proposal offered by the Department of Mental Health to expand a State-owned or -operated facility or capacity at a State-owned or -operated facility in Vermont's mental health system should always include or identify resources to support Vermont's community mental health system.

Sec. 28. RESIDENTIAL BEDS FOR INDIVIDUALS DISCHARGED FROM

INPATIENT PSYCHIATRIC CARE

(a) On or before August 1, 2021, the Department of Mental Health shall issue a request for information 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. Responses to the request for information shall be provided to the Department of Mental Health not later than December 1, 2021 and shall include provisions that address the need to develop and implement community residential programming for youths.

(b) The Department of Mental Health shall convene a steering group of interested stakeholders, including individuals with lived experience, to

consider and provide input to the Department's prioritization process in determining the area of highest need across the mental health system of care with regard to additional bed proposals described in subsection (a) of this section.

(c) On or before December 15, 2021, the Department of Mental Health shall submit a report to the House Committees on Health Care and on Corrections and Institutions and to the Senate Committees on Health and Welfare and on Institutions containing the following:

(1) a review of all responses received pursuant to the request for information issued pursuant to subsection (a) of this section;

(2) a bed needs assessment for all levels of care in the mental health system, including an update to the statewide bed needs assessment conducted pursuant to 2019 Acts and Resolves No. 26, Sec. 2 with regard to inpatient beds and community residences;

(3) a summary of the input provided by the stakeholder steering group pursuant to subsection (b) of this section; and

(4) an analysis of opportunities under the American Rescue Plan Act of 2021, Pub. L. 117-2, for capital or operational bridge funding for additional unlocked community residential capacity described in subsection (a) of this section or additional similar community capacities.

Sec. 29. REPEAL

2019 Acts and Resolves No. 42, Sec. 31, as amended by 2020 Acts and Resolves No. 139, Sec. 28, is repealed upon passage of this act.

* * * Natural Resources * * *

Sec. 30. 24 V.S.A. § 4764 is amended to read:

§ 4764. PLANNING

(a) Engineering planning advance. A municipality or a combination of two or more municipalities desiring an advance of funds for engineering and land use planning for public water supply systems, as defined in subdivision 4752(9) of this title, or improvements, or for clean water projects or improvements, may apply to the Department for an advance under this chapter. As used in this subsection, “engineering planning” may include source exploration, surveys, reports, designs, plans, specifications, or other engineering services necessary in preparation for construction of the types of systems or facilities referred to in this section. Not more than 25 percent of funds awarded to a municipality as a planning advance pursuant to this subsection may be utilized to evaluate land use implications of facilities, including impacts on the State Planning Goals as set forth in section 4302 of this title, availability of housing, and economic development.

* * *

(d) Technical assistance from Regional Planning Commission. Any municipality may contract with the Regional Planning Commission established under section 4341 of this title to assist in administration and management of the planning advance and coordination of engineering services and to evaluate land use implications. Costs associated with these services from the Regional Planning Commission shall be eligible for reimbursement under an engineering planning advance described in subsection (a) of this section.

* * * Effective Date * * *

Sec. 31. EFFECTIVE DATE

This act shall take effect upon passage.