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H.438

Introduced by Committee on Corrections and Institutions

Date:

Subject: Capital construction; capital appropriations; State bonding

Statement of purpose of bill as introduced: This bill proposes to authorize bonding, appropriate capital funds, and address miscellaneous related items.

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.

1	<u>(9) Rutland, Asa Bloomer, major renovation:</u>	<u>\$400,000.00</u>
	<u>(10) Springfield, Southern State Correctional Facility, door control</u>	
	<u>system replacement:</u>	\$2,800,000.00 <u>\$2,750,000.00</u>
2	<u>(11) Waterbury, State Office Complex, historic core, roof replacements:</u>	
3		<u>\$1,000,000.00</u>
4	<u>(c) The following sums are appropriated in FY 2023:</u>	
5	<u>(1) Statewide, major maintenance:</u>	<u>\$7,350,000.00</u>
6	<u>(2) Statewide, BGS engineering and architectural project costs:</u>	
7		<u>\$3,747,442.00</u>
8	<u>(3) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
9	<u>(4) Statewide, planning, use and contingency:</u>	<u>\$500,000.00</u>
10	<u>(5) Montpelier, State House, maintenance of interior historic finishes:</u>	
11		<u>\$55,000.00</u>
12	<u>(6) Montpelier, State House, exhibition, interpretation design and</u>	
13	<u>construction:</u>	<u>\$45,000.00</u>
14	<u>(7) Newport, courthouse replacement, design:</u>	<u>\$525,000.00</u>
15	<u>(8) Rutland, Asa Bloomer, major renovation:</u>	<u>\$1,575,000.00</u>
16	<u>(9) Waterbury, State Office Complex, historic core, roof replacements:</u>	
17		<u>\$3,200,000.00</u>
18	<u>(10) White River Junction, courthouse, renovation:</u>	<u>\$1,500,000.00</u>
19	<u>(11) Brattleboro, courthouse, re-roof:</u>	<u>\$100,000.00</u>

1	(12) Burlington, 32 Cherry Street, parking garage renovations planning,	
2	<u>design, and construction:</u>	<u>\$865,000.00</u>
3	(13) Montpelier, 111 State Street, renovation of stack area, HVAC	
4	<u>upgrades, and elevator:</u>	<u>\$158,000.00</u>
5	(14) Montpelier, 120 State Street, steam lines, interior renovations:	
6		<u>\$525,000.00</u>
7	(15) Montpelier, State House, HVAC renovations:	<u>\$2,535,000.00</u>
8	(16) Rutland, multimodal garage renovation:	<u>\$600,000.00</u>
9	(17) Statewide, three-acre parcel, stormwater planning, design and	
10	<u>implementation:</u>	<u>\$600,000.00</u>
11	(18) Statewide, correctional facilities, door control system	
12	<u>replacements:</u>	<u>\$670,000.00</u>
13	Appropriation – FY 2022	\$19,366,774.00
14	<u>Appropriation – FY 2023</u>	<u>\$24,800,442.00</u>
15	Total Appropriation – Section 2	\$44,167,216.00
	<i>Appropriation – FY 2022</i>	<i>\$19,316,774.00</i>
	<i>Appropriation – FY 2023</i>	<i>\$24,800,442.00</i>
	<i>Total Appropriation – Section 2</i>	<i>\$44,117,216.00</i>

1 Sec. 3. HUMAN SERVICES

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

5 (1) ~~Physically Secure Recovery Residence~~ *Secure Residential Recovery*
6 *Facility*, design and construction:

7 \$11,600,000.00

8 (2) Women's correctional facilities, replacement: \$500,000.00

9 (3) Statewide, correctional facility, life safety and security needs and
10 enhancements: \$250,000.00

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

14 (1) Women's correctional facilities, replacement: \$1,000,000.00

15 (2) Statewide, correctional facility, life safety and security needs and
16 enhancements: \$200,000.00

~~(c) The amount appropriated in subdivision (a)(1) of this section shall be
used to construct a 16-bed Physically Secure Recovery Residence 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. The design for the facility shall be for two eight bed wings~~

~~and shall not include any locked seclusion area. The facility shall not use
emergency involuntary procedures.~~

(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.

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

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

1 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

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

- 5 (1) Major maintenance at statewide historic sites: \$350,000.00
6 (2) Underwater preserves: \$35,000.00
7 (3) Placement and replacement of roadside historic markers:
8 \$25,000.00
9 (4) Unmarked Burial Fund: \$63,000.00

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

- 13 (1) Major maintenance at statewide historic sites: \$350,000.00
14 (2) Underwater preserves: \$25,000.00
15 (3) Placement and replacement of roadside historic markers:
16 \$25,000.00

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

18 ~~(d) For the amount appropriated in subdivision (c)(2), not more than~~

19 ~~\$10,000.00 shall be used to open not more than three new sites in FY 2022.~~

20 Appropriation – FY 2022 \$473,000.00

21 ~~Appropriation – FY 2023 \$400,000.00~~

1 ~~Total Appropriation Section 4~~ ~~\$873,000.00~~

2 *(c) For the amount appropriation in subdivision (a)(2) of this section, not*
3 *more than \$10,000.00 shall be used as follows:*

(1) to open two new underwater preserves at the Potash Point
Canalboat site and the Pine Street Barge Canal Breakwater Graveyard site;
and

(2) to prepare documentation for the Isle La Motte Wreck site and the
Providence Island Wreck site.

4 Sec. 5. GRANT PROGRAMS

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

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

9 Program: \$300,000.00

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

12 Program: \$300,000.00

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

1 \$300,000.00

2 (4) To the Department of Buildings and General Services for the

3 Recreational Facilities Grant Program: \$300,000.00

4 (5) To the Department of Buildings and General Services for the Human

5 Services and Educational Facilities Competitive Grant Program (Human

6 Services): \$150,000.00

7 (6) To the Department of Buildings and General Services for the Human

8 Services and Educational Facilities Competitive Grant Program (Education):

9 \$150,000.00

10 (7) To the Department of Buildings and General Services for the

11 Regional Economic Development Grant Program: \$300,000.00

12 (8) To the Agency of Agriculture, Food and Markets for the

13 Agricultural Fairs Capital Projects Competitive Grant Program: \$300,000.00

14 (b) The following sums are appropriated in FY 2023 for Building

15 Communities Grants established in 24 V.S.A. chapter 137:

16 (1) To the Agency of Commerce and Community Development,

17 Division for Historic Preservation, for the Historic Preservation Grant

18 Program: \$300,000.00

19 (2) To the Agency of Commerce and Community Development,

20 Division for Historic Preservation, for the Historic Barns Preservation Grant

21 Program: \$300,000.00

1	<u>(3) To the Vermont Council on the Arts for the Cultural Facilities</u>	
2	<u>Grant Program, the sum of which may be used to match funds that may be</u>	
3	<u>made available from the National Endowment for the Arts, provided that all</u>	
4	<u>capital funds are made available to the Cultural Facilities Grant Program:</u>	
5		<u>\$300,000.00</u>
6	<u>(4) To the Department of Buildings and General Services for the</u>	
7	<u>Recreational Facilities Grant Program:</u>	<u>\$300,000.00</u>
8	<u>(5) To the Department of Buildings and General Services for the Human</u>	
9	<u>Services and Educational Facilities Competitive Grant Program (Human</u>	
10	<u>Services):</u>	<u>\$150,000.00</u>
11	<u>(6) To the Department of Buildings and General Services for the Human</u>	
12	<u>Services and Educational Facilities Competitive Grant Program (Education):</u>	
13		<u>\$150,000.00</u>
14	<u>(7) To the Department of Buildings and General Services for the</u>	
15	<u>Regional Economic Development Grant Program:</u>	<u>\$300,000.00</u>
16	<u>(8) To the Agency of Agriculture, Food and Markets for the</u>	
17	<u>Agricultural Fairs Capital Projects Competitive Grant Program:</u>	<u>\$300,000.00</u>
18	<u>Appropriation – FY 2022</u>	<u>\$2,100,000.00</u>
19	<u>Appropriation – FY 2023</u>	<u>\$2,100,000.00</u>
20	<u>Total Appropriation – Section 5</u>	<u>\$4,200,000.00</u>

1 Johnson containing the Long Trail treadway and the future location of an off-
2 road trailhead parking area.

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

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

7 \$2,213,211.00

8 (2) Dam safety and hydrology projects:

\$805,000.00

9 (3) Waterbury Dam Spillway Project:

\$750,000.00

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

13 (1) Infrastructure rehabilitation, including statewide small-scale
14 rehabilitation, wastewater repairs, preventive improvements and upgrades of
15 restrooms and bathhouses, and statewide small-scale road rehabilitation

16 projects: \$4,476,553.00

17 (2) Rustic Cabin Construction Program:

\$500,000.00

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

1	Appropriation – FY 2022	\$11,430,214.00
2	Appropriation – FY 2023	\$9,828,264.00
3	Total Appropriation – Section 9	\$21,258,478.00

(g) The following amounts are appropriated in FY 2023 to the Agency of Natural Resources for the projects described in this subsection:

(1) General infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure: \$1,083,500.00

(2) Lake Champlain Walleye Association, Inc., to upgrade and repair the Walleye rearing, restoration, and stocking infrastructure: \$25,000.00

Appropriation – FY 2022 \$11,455,214.00

Appropriation – FY 2023 \$9,853,264.00

Total Appropriation – Section 9 \$21,308,478.00

4 Sec. 10. CLEAN WATER INITIATIVES

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

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

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

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

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

4 (1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
5 16a, as 2018 Acts and Resolves No. 190, Sec. 12: \$133,399.66

6 (2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
7 16(a): \$296,294.00

8 (3) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
9 16(b): \$299,809.00

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

13 (1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
14 13, as amended by 2018 Acts and Resolves No. 190, Sec. 10(c) (school safety
15 and security grant program): \$955,822.94

16 (2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
17 13(b) (school safety and security grant program): \$588,698.84

18 (e) Of the amount appropriated to the Department of Public Service in
19 2017 Acts and Resolves No. 84, Sec. 16c, as amended by 2018 Acts and
20 Resolves No. 190, Sec. 14, the sum of \$898,451.00 is reallocated to defray
21 expenditures authorized in this act.

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

2 (2) the Executive Director of the Mount Ascutney Regional

3 Commission or designee;

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

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

6 (5) the Executive Director of the Vermont Housing and Conservation

7 Board or designee;

8 (6) the Secretary of Commerce and Community Development or

9 designee; and

10 (7) the Secretary of Natural Resources or designee.

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

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

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

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

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

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

7 (f) Meetings.

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

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

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

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

14 (g) Compensation and reimbursement. A non-State employee member of
15 the Committee shall be entitled to per diem compensation and reimbursement
16 of expenses pursuant to 32 V.S.A. § 1010 for not more than six meetings.

17 These payments shall be made from monies appropriated in Sec. 2(b)(1) of
18 this act.

19 Sec. 21. NEW HAVEN DEPOT BUILDING; RELOCATION

20 (a)(1) The General Assembly finds that the building located at 5450 Ethan
21 Allen Highway in the Town of New Haven (the New Haven Depot Building),

1 owned by the Agency of Commerce and Community Development, Division
2 of Historic Preservation pursuant to Executive Order No. 22, dated
3 November 26, 1975, must be relocated to meet the safety standards required
4 for the changing operations of rail service.

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

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

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

17 (c) If the State Historic Preservation Officer and the Secretary of
18 Transportation deem a relocation of the New Haven Depot Building is not
19 physically or financially practicable, the State Historic Preservation Officer, in
20 coordination with the Commissioner of Buildings and General Services and

1 the Secretary of Transportation, is authorized to decommission the building
2 and delist it from the National Register of Historic Places.

Sec. 21a. 13 BALDWIN STREET; SALE OF PROPERTY

*The Commissioner of Buildings and General Services is authorized to sell
the property located at 13 Baldwin Street in Montpelier, Vermont pursuant to
the requirements of 29 V.S.A. § 166. The proceeds from the sale shall be
appropriated to future capital construction projects.*

3 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~~) (*Office of Legislative Information
Technology*): \$700,000.00

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

6 Sec. 3a. REPEAL

7 2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is
8 repealed on ~~June 30, 2021~~ June 30, 2023.

9 Sec. 24. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
10 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,
11 Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and
12 Resolves No. 190, Sec. 18, and 2019 Acts and Resolves No. 42, Sec. 25, and
13 2020 Acts and Resolves No. 139, Sec. 19, is further amended to read:

1 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
2 ~~2021~~ July 1, 2023.

3 ~~*** Federal Funds ***~~

4 ~~Sec. 25. PROCESS FOR USE OF FEDERAL FUNDS; FY 2022 AND FY~~
5 ~~2023, WATER AND SEWER INFRASTRUCTURE~~

6 ~~(a) Intent. It is the intent of the General Assembly that, to the extent~~
7 ~~permitted by federal law and guidance, the amounts appropriated in this act~~
8 ~~should be offset by using federal funds provided to the State by the American~~
9 ~~Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local Coronavirus Fiscal~~
10 ~~Recovery Funds whenever possible for capital projects supporting water and~~
11 ~~sewer infrastructure. Any appropriation so offset shall be used for future~~
12 ~~capital construction projects in the fiscal year 2022 capital budget adjustment~~
13 ~~process.~~

14 ~~(b) Offset with federal funds. If the Commissioner of Finance and~~
15 ~~Management determines that any FY 2022 appropriations for water and sewer~~
16 ~~infrastructure may be offset by using federal funds provided to the State by the~~
17 ~~American Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local~~
18 ~~Coronavirus Fiscal Recovery Funds, the Commissioner of Finance and~~
19 ~~Management is authorized to substitute the federal funds for capital funds.~~
20 ~~The Commissioner shall notify the Chairs of the House Committee on~~
21 ~~Corrections and Institutions and the Senate Committee on Institutions of any~~

1 ~~substitution of funds in accordance with this subsection. Any State capital~~
2 ~~funds offset pursuant to this section shall be used for future capital~~
3 ~~construction projects in the FY 2022 capital budget adjustment process.~~

4 (c) Report. On or before December 15, 2021, the Commissioner shall
5 review and recommend water and sewer infrastructure projects funded in FY
6 2023 of this act and submit a list of any recommended substitutions and
7 additional amounts of federal funds that may be used for FY 2023 to the
8 Chairs of the House Committee on Corrections and Institutions and the Senate
9 Committee on Institutions and to the Governor for the FY 2022–2023 capital
10 budget adjustment report.

11 (d) Reservation of funds. In accordance with this section, the
12 Commissioner of Finance and Management may reserve not more than
13 \$30,000,000.00 for substitution of federal funds provided to the State by the
14 American Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local
15 Coronavirus Fiscal Recovery Funds pursuant to subsection (a) of this section,
16 and is authorized to substitute not more than \$15,000,000.00 in FY 2022. Of
17 the \$30,000,000.00, any remaining unexpended amounts not substituted in
18 FY 2022 may be used in FY 2023.

19 ~~SECTION 76. FEDERAL FUNDS, CAPITAL PROJECTS~~

20 (a) Intent. It is the intent of the General Assembly, to the extent permitted
21 by federal law and guidance, to use federal funds provided to the State by the

1 ~~American Rescue Plan Act of 2021, Pub. L. 117-2, in the Coronavirus Capital~~
2 ~~Projects Fund for capital projects necessary for the Executive, Legislative, and~~
3 ~~Judicial Branches in response to the COVID-19 pandemic.~~

4 ~~(b) Designated uses. In FY 2022, the federal funds provided to the State~~
5 ~~by the American Rescue Plan Act of 2021, Pub. L. 117-2, in the Coronavirus~~
6 ~~Capital Projects Fund for necessary capital projects in response to the COVID-~~
7 ~~19 pandemic shall be designated as follows:~~

8 ~~(1) The amount of \$2,000,000.00 shall be allocated to the Agency of~~
9 ~~Human Services for mental health and correctional infrastructure.~~

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

12 ~~(c) Recommendation.~~

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

19 ~~(2) For the designated use described in subdivision (b)(2) of this~~
20 ~~section, on or before January 15, 2022, the Joint Legislative Management~~
21 ~~Committee shall submit recommendations on the use of federal funds from the~~

1 ~~Coronavirus Capital Projects Fund for infrastructure in the Legislative Branch~~
2 ~~and the Court Administrator shall submit recommendations on the use of~~
3 ~~federal funds from the Coronavirus Capital Projects Fund for infrastructure in~~
4 ~~the Judicial Branch, to the House Committee on Corrections and Institutions~~
5 ~~and the Senate Committee on Institutions for allocation in the FY 2022–2023~~
6 ~~Capital Budget Adjustment Act.~~

Sec. 2025. 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 to carry out critical capital projects for the Executive, Legislative, and Judicial Branches to directly enable work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID-19).

(b) Prioritized uses. 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 shall be prioritized for critical capital projects proposed by the Executive, Legislative, and Judicial Branches in response to the COVID-19 pandemic and the entire amount provided to the State shall not be for the exclusive use of any single branch of State government.

(c) Recommendation.

(1) On or before December 15, 2021, the Commissioner of Finance and Management shall recommend a list of priority projects for the use of federal funds by the Executive Branch from the Coronavirus Capital Projects Fund for FY 2023 to the Governor for the FY 2022–2023 capital budget adjustment report. Consistent with federal guidance as it becomes available, Executive Branch recommendations may include infrastructure that provides the greatest economic benefit in and among our communities. Any recommendations shall take into consideration the capital needs of all three branches.

(2) On or before December 15, 2021, the Joint Legislative Management Committee shall recommend a list of priority projects for the use of federal funds from the Coronavirus Capital Projects Fund for capital projects in the Legislative Branch and the Court Administrator shall submit a list of priority projects for the use of federal funds from the Coronavirus Capital Projects Fund for capital projects 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. Any recommendations shall take into consideration the capital needs of all three branches.

*Sec. 25a. USE OF FEDERAL FUNDS; WATER AND SEWER
INFRASTRUCTURE; FY 2022*

1 to prevent inpatient care. Responses to the request for information shall be
2 provided to the Department of Mental Health not later than December 1, 2021
3 and shall include provisions that address the need to develop and implement
4 community residential programming for youths.

5 (b) The Department of Mental Health shall convene a steering group of
6 interested stakeholders, including individuals with lived experience, to
7 consider and provide input to the Department's prioritization process in
8 determining the area of highest need across the mental health system of care
9 with regard to additional bed proposals described in subsection (a) of this
10 section.

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

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

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

1 funds awarded to a municipality as a planning advance pursuant to this
2 subsection may be utilized to evaluate land use implications of facilities,
3 including impacts on the State Planning Goals as set forth in section 4302 of
4 this title, availability of housing, and economic development.

5 * * *

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

13 ~~*** Effective Date ***~~

14 Sec. 31. EFFECTIVE DATE

15 ~~This act shall take effect upon passage.~~

~~Sec. 2130, 20 V.S.A. § 410 is amended to read:~~

~~§ 410. RULEMAKING; ENCROACHMENTS ON PUBLIC WATERS~~

~~(a) The Department may adopt rules to implement the requirements of this chapter.~~

~~(b) The Department shall adopt rules establishing criteria for issuing an encroachment permit under this chapter for the creation of artificial reefs.~~

~~sinking of vessels within the waters under the jurisdiction of the Department including the requirement that any creation of an artificial reef or sinking of a vessel complies with federal rules or guidance for such activities.~~

~~Sec. ~~22~~31. ANR ENCROACHMENT RULES; IMPLEMENTATION~~

~~(a) On or before January 1, 2022, the Department of Environmental Conservation shall initiate the rulemaking required under 29 V.S.A. § 410.~~

~~(b) On or before July 1, 2022, the Department of Environmental Conservation shall file a final proposal of the rules required under 29 V.S.A. § 410 with the Secretary of State under 3 V.S.A. § 841.~~

~~*** Public Safety ***~~

~~Sec. ~~22~~32. WILLISTON PUBLIC SAFETY BARRACKS; SALE~~

~~The Commissioner of Buildings and General Services is authorized to sell the property known as the Williston Public Safety Barracks (State Office Building) located at 2777 St. George Road in Williston, Vermont pursuant to the requirements of 29 V.S.A. § 166. The proceeds from the sale shall be appropriated to future capital construction projects.~~

~~*** Effective Date ***~~

~~Sec. ~~37~~33. EFFECTIVE DATE~~

~~This act shall take effect on passage.~~

Sec. 30. MORATORIUM ON LAKE ENCROACHMENT PERMITS FOR
SINKING OF VESSEL

Notwithstanding the authority of the Department of Environmental Conservation (Department) under 29 V.S.A. chapter 11 to authorize encroachments on lakes and ponds and lands lying thereunder, the Department shall not issue a lake encroachment permit for the intentional sinking of a vessel in any lake or pond within the jurisdiction of the Department during the period beginning on the effective date of this act and ending on July 1, 2024.

** * * Legislative Branch * * **

Sec. 31. 2020 Acts and Resolves No. 154, E. 126.3 is amended to read:

*Sec. E.126.3 GENERAL ASSEMBLY; STATE BUILDINGS; USE OF
SPACE; AUTHORITY OF SERGEANT AT ARMS; ~~2021-~~
~~22~~ LEGISLATIVE BIENNIUM*

(a) Notwithstanding the provisions of 29 V.S.A. § 165 and any other provision of law to the contrary, in order to perform its constitutional duties, the Legislative Branch shall have exclusive use of alternative locations during the 2021–22 legislative biennium, including the following:

(1) 133 State Street:

*(A) Basement: ~~stock room and rooms 012, 016, 015, and 021, and~~
022.*

(B) First Floor: rooms 121, ~~122,~~ and 126.

(C) Fourth Floor: board room.

~~(D) Fifth Floor: entire floor.~~

(2) 109 State Street:

(A) Basement: rooms B07 and B015 and surrounding space;

(B) Second floor: rooms 264, 267, 268, and 270.

(C) Fourth floor: conference room.

(3) 111 State Street: library stacks room on the second floor:

(b) Notwithstanding the provisions of 29 V.S.A. § 165 and any other provision of law to the contrary, in order to perform its constitutional duties, beginning July 1, 2021, the Legislative Branch shall have the exclusive use of the following space:

(1) 2 Aiken Street: entire building.

(2) 4 Aiken Street: entire building.

(3) 133 State Street:

(A) Basement: rooms 015 and 022.

(B) First Floor: rooms 122 and 125.

(c) The Sergeant at Arms and the Commissioner of Buildings and General Services shall consider ways to address any disruption to the functionality of the Executive and Legislative Branches in shared State building space.

(e)(d) The authority of the Sergeant at Arms set forth in 2 V.S.A. chapter 62 shall apply in any rooms or spaces occupied by the Legislative Branch.

Sec. 32. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE

HOUSE; STATE HOUSE LEGISLATIVE SPACE AND DESIGN;

REPORT

(a)(1) The Legislative Advisory Committee on the State House shall review and make recommendations on any space and design proposals for the State House. The review shall take into account the Freeman, French, and Freeman, Legislative Space Study, 2021–2022, dated April 26, 2021. Prior to making any recommendations, the Committee shall consult with legislators, legislative staff, and relevant stakeholders on space needs.

(2) The Committee shall have the assistance of a planning architect from the Department of Buildings and General Services.

(b) On or before August 15, 2021, the Committee shall submit a report with its recommendations to the Joint Legislative Management Committee, the Joint Rules Committee, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions.

Sec. 33. 2 V.S.A. § 651 is amended to read:

§ 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE

HOUSE

(a) The Legislative Advisory Committee on the State House is created.

(b) The Committee shall be composed of ~~H~~ 13 members:

(1) ~~three~~ four members of the House of Representatives, appointed biennially by the Speaker of the House;

(2) ~~three~~ four members of the Senate, appointed biennially by the Committee on Committees;

(3) the Chair of the Board of Trustees of the Friends of the Vermont State House;

(4) the Director of the Vermont Historical Society;

(5) the Director of the Vermont Council on the Arts;

(6) the Commissioner of Buildings and General Services; and

(7) the Sergeant at Arms.

(c) The Committee shall biennially elect a chair from among its legislative members. A quorum shall consist of ~~six~~ seven members.

* * *

* * * Public Safety * * *

Sec. 34. WILLISTON PUBLIC SAFETY BARRACKS; SALE

The Commissioner of Buildings and General Services is authorized to sell the property known as the Williston Public Safety Barracks (State Office Building) located at 2777 St. George Road in Williston, Vermont pursuant to the requirements of 29 V.S.A. § 166. The proceeds from the sale shall be appropriated to future capital construction projects.

* * * Effective Date * * *

Sec. 35. EFFECTIVE DATE

This act shall take effect on passage.