

1 TO THE HOUSE OF REPRESENTATIVES:

2 Representative Emmons of Springfield moves that the House concur in the  
3 Senate proposal of amendment with further proposal of amendment by striking  
4 out all after the enacting clause and inserting in lieu thereof the following:

5 Sec. 1. 2021 Acts and Resolves No. 50, Sec. 1 is amended to read:

6 Sec. 1. LEGISLATIVE INTENT

7 (a) It is the intent of the General Assembly that of the ~~\$127,378,694.00~~  
8 \$143,757,972.00 authorized in this act, not more than ~~\$70,074,988.00~~  
9 \$69,549,988.00 shall be appropriated in the first year of the biennium, and the  
10 remainder shall be appropriated in the second year.

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

16 (c) It is also the intent of the General Assembly that in the second year of  
17 the biennium, the General Assembly address the impacts of the COVID-19  
18 pandemic by offsetting capital projects with funds appropriated to the State  
19 from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA) to the  
20 extent these appropriations are in compliance with federal law and guidance.

1 Sec. 2. 2021 Acts and Resolves No. 50, Sec. 2 is amended to read:

2 Sec. 2. STATE BUILDINGS

3 \* \* \*

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

5 (1) Statewide, major maintenance: ~~\$7,350,000.00~~ \$7,096,521.00

6 (2) ~~Statewide, BGS engineering and architectural project costs:~~

7 ~~\$3,747,442.00~~ [Repealed.]

8 \* \* \*

9 (12) Burlington, 32 Cherry Street, parking garage renovations planning,  
10 design, and construction: ~~\$865,000.00~~ \$565,000.00

11 \* \* \*

12 (15) Montpelier, State House, HVAC renovations:

13 ~~\$2,535,000.00~~ \$6,800,000.00

14 \* \* \*

15 (17) ~~Statewide, three-acre parcel, stormwater planning, design and~~

16 ~~implementation:~~ \$600,000.00

17 (18) Statewide, correctional facilities, door control system replacements:

18 \$670,000.00

19 (18) Burlington, 108 Cherry Street, parking garage repairs:

20 \$2,000,000.00

21 (19) Springfield, Southern State Correctional Facility, door control



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

4 (1) Women’s correctional facilities, replacement: \$1,000,000.00

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

7 (3) Secure Residential Recovery Facility, design and construction:  
8 \$3,200,000.00

9 (4) Statewide, correctional facilities, accessibility improvements,  
10 Americans with Disabilities Act (ADA) compliance: \$1,200,000.00

11 (5) Statewide, correctional facilities, HVAC, programming, schematic  
12 design, and design documents: \$500,000.00

13 \* \* \*

14 Appropriation – FY 2022 \$12,350,000.00

15 Appropriation – FY 2023 ~~\$1,200,000.00~~ \$6,100,000.00

16 Total Appropriation – Section 3 ~~\$13,550,000.00~~ \$18,450,000.00

17 Sec. 4. 2021 Acts and Resolves No. 50, Sec. 4 is amended to read:

18 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

19 \* \* \*

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

1 in this subsection:

2 (1) Major maintenance at statewide historic  
3 sites: \$350,000.00 \$683,000.00

4 \* \* \*

5 (d) The Division of Historic Preservation shall conduct a facilities  
6 condition assessment on all the buildings and structures of the State Historic  
7 Sites within the next five years, with a cyclical update plan. Those buildings  
8 and structures open to the public shall be prioritized for investigation.

9 (e) It is the intent of the General Assembly to encourage the Lake  
10 Champlain Maritime Museum to, in addition to the development of a  
11 decommissioning plan, explore all options for the ongoing use of the Schooner  
12 Lois McClure.

13	<u>Appropriation – FY 2022</u>	<u>\$473,000.00</u>
14	<u>Appropriation – FY 2023</u>	<u>\$733,000.00</u>
15	<u>Total Appropriation – Section 4</u>	<u>\$1,206,000.00</u>

16 Sec. 5. 2021 Acts and Resolves No. 50, Sec. 8 is amended to read:

17 Sec. 8. VERMONT STATE COLLEGES

18 \* \* \*

19 (b) The following sums are appropriated in FY 2023 to the Vermont State  
20 Colleges for the projects described in this subsection:

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

3 \$2,000,000.00

4 (2) infrastructure transformation planning and space modification:

5 ~~\$100,000.00~~ \$900,000.00

6 (3) nursing programs, renovation of simulation laboratories:

7 \$800,000.00

8 (c) For the amount appropriated in subdivision (b)(3) of this section, on or  
9 before January 15, 2023, the Chancellor of the Vermont State Colleges shall  
10 submit a report to the House Committees on Corrections and Institutions, on  
11 Commerce and Economic Development, and on Health Care and to the Senate  
12 Committees on Economic Development, Housing and General Affairs, on  
13 Health and Welfare, and on Institutions, providing an accounting of all  
14 expenditures, any encumbered funds, and whether any unexpended funds  
15 remain.

16 Appropriation – FY 2022 \$2,000,000.00

17 Appropriation – FY 2023 ~~\$2,100,000.00~~ \$3,700,000.00

18 Total Appropriation – Section 8 ~~\$4,100,000.00~~ \$5,700,000.00

19 Sec. 6. 2021 Acts and Resolves No. 50, Sec. 8a is added to read:

20 Sec. 8a. NORWICH UNIVERSITY



1 \* \* \*

2 (4) Little Hosmer Dam, rehabilitation: \$190,000.00

3 (5) Infrastructure Investment and Jobs Act, Drinking and Clean Water

4 State Revolving Fund, State match: \$2,833,980.00

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

8 (1) Infrastructure rehabilitation, including statewide small-scale  
9 rehabilitation, wastewater repairs, preventive improvements and upgrades  
10 of restrooms and bathhouses, and statewide small-scale road rehabilitation  
11 projects: ~~\$4,476,553.00~~ \$4,251,553.00

12 (2) Rustic Cabin Construction Program: ~~\$500,000.00~~ \$700,000.00

13 (g) The following amounts are appropriated in FY 2023 to the Agency of  
14 Natural Resources for the Department of Fish and Wildlife for the projects  
15 described in this subsection:

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

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

20 (3) Lake Champlain Walleye Association, Inc., purchase of self-cleaning  
21 tanks: \$25,000.00



1 appropriated in FY 2023 to the Agency of Agriculture, Food and Markets for  
2 water quality grants and contracts.

3 \* \* \*

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

7 (1) Water Pollution Control Fund, Clean Water State/EPA Revolving  
8 Loan Fund (CWSRF) match: \$1,548,219.00

9 (2) Municipal Pollution Control Grants, pollution control projects and  
10 planning advances for feasibility studies: \$2,715,000.00

11 (j)(1) The following amounts are appropriated in FY 2023 to the Vermont  
12 Housing and Conservation Board for the projects described in this subsection:

13 (A) Agricultural water quality projects: \$200,000.00

14 (B) Land conservation and water quality projects: \$2,000,000.00

15 (2) A grant issued under subdivision (1)(A) of this subsection:

16 (A) shall not be considered a State grant under 6 V.S.A. chapter 215,  
17 subchapter 3 for purposes of calculating the maximum amount of a State water  
18 quality assistance award under 6 V.S.A. § 4824 or 4826; and

19 (B) may be used to satisfy a grant recipient's cost share requirements.

20 Appropriation – FY 2022 \$11,000,000.00 \$10,500,000.00

21 Appropriation – FY 2023 \$11,000,000.00 \$6,663,219.00



1	Appropriation – FY 2022	\$6,120,000.00
2	Appropriation – FY 2023	<del>\$50,000.00</del> <u>\$3,550,000.00</u>
3	Total Appropriation – Section 12	<del>\$6,170,000.00</del> <u>\$9,670,000.00</u>

4 Sec. 11. 2021 Acts and Resolves No. 50, Sec. 13 is amended to read:

5 Sec. 13. AGRICULTURE, FOOD AND MARKETS

6 \* \* \*

7 (b) The sum of ~~\$350,000.00~~ \$1,400,000.00 is appropriated in FY 2023 to  
8 the Department of Buildings and General Services for the Agency of  
9 Agriculture, Food and Markets for ~~the project described in subsection (a) of~~  
10 ~~this section~~ major maintenance, renovation, and modernization planning and  
11 design at the Vermont Building at the Eastern States Exhibition.

12	Appropriation – FY 2022	\$260,000.00
13	Appropriation – FY 2023	<del>\$350,000.00</del> <u>\$1,400,000.00</u>
14	Total Appropriation – Section 13	<del>\$610,000.00</del> <u>\$1,660,000.00</u>

15 Sec. 12. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:

16 Sec. 17a. SERGEANT AT ARMS

17 The amount of \$185,000.00 is appropriated in FY 2023 to the Sergeant at  
18 Arms for upgrades to 2 Governor Aiken Avenue.

19	<u>Total Appropriation – Section 17a</u>	<u>\$185,000.00</u>
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20 Sec. 13. 2021 Acts and Resolves No. 50, Sec. 17b is added to read:

21 Sec. 17b. FY 2022 AND FY 2023; AMERICAN RESCUE PLAN ACT;

1 STATE AND LOCAL FISCAL RECOVERY FUND; CAPITAL  
2 PROJECTS; AUTHORIZATIONS

3 (a) Findings. The General Assembly finds:

4 (1) In 2021 Acts and Resolves No. 74, Sec. G.700(c), the General  
5 Assembly authorized the Commissioner of Finance and Management to use  
6 not more than \$15,000,000.00 in American Rescue Plan Act (ARPA) funds to  
7 offset capital funds appropriated to projects supporting water and sewer  
8 infrastructure in fiscal year 2022 to the extent feasible under federal law and  
9 guidance.

10 (2) The Governor’s fiscal year 2022–2023 capital budget adjustment  
11 report included recommendations for water and sewer infrastructure projects  
12 historically funded in the State’s capital construction act that could be funded  
13 in fiscal years 2022 and 2023 with ARPA funds.

14 (3) The General Assembly finds that in addition to the capital projects  
15 identified by the Governor’s fiscal year 2022–2023 capital budget adjustment  
16 report, there are other capital projects that can be funded in fiscal year 2023  
17 with ARPA funds.

18 (b) Intent. It is the intent of the General Assembly to authorize certain  
19 projects that are eligible for ARPA funds in this act but appropriate the funds  
20 for these projects in the FY 2023 Annual Appropriations Act.

21 (c) Authorizations. In fiscal years 2022 and 2023, the following capital

1 projects are authorized to be undertaken with funds appropriated in the  
2 FY 2023 Annual Appropriations Act:

3 (1) In FY 2022 and FY 2023, the Department of Forests, Parks and  
4 Recreation is authorized to upgrade forestry access roads, recreation access  
5 roads, and make water quality improvements to these roads.

6 (2) In FY 2023, in addition to the amounts appropriated in Sec. 10(e) of  
7 this act, the Agency of Agriculture, Food and Markets is authorized to issue  
8 water quality grants and contracts.

9 (3) In FY 2023, in addition to the amounts appropriated in Sec. 10(i)(2)  
10 of this act, the Department of Environmental Conservation is authorized to  
11 issue municipal pollution control grants.

12 (4) In FY 2023, the Department of Forests, Parks and Recreation is  
13 authorized to make wastewater repairs and water and sewer infrastructure  
14 improvements and upgrades to restrooms and bathhouses at State parks.

15 (5) In FY 2023, in addition to the amount appropriated in Sec.  
16 10(j)(1)(A) of this act, the Vermont Housing and Conservation Board is  
17 authorized to issue grants for water quality improvement projects.

18 (6) In FY 2023, the Vermont Historical Society is authorized to make  
19 upgrades and repairs to the HVAC system at the Vermont History Center in  
20 Barre.

21 (7) The Department of Buildings and General Services is authorized to

1 begin design and construction for the expansion of the State House in  
2 Montpelier.

3 (8) The Judiciary is authorized to make HVAC improvements to county  
4 courthouses.

5 Sec. 14. 2021 Acts and Resolves No. 50, Sec. 18 is amended to read:

6 Sec. 18. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

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

10 \* \* \*

11 (4) of the amount appropriated in 2015 Acts and Resolves No. 26,  
12 Sec. 2(b)(5) (major maintenance): \$35,475.94

13 (5) of the amount appropriated in 2015 Acts and Resolves No. 26,  
14 Sec. 2(c)(11) (Southern State Correctional Facility, copper waterline  
15 replacement): \$82,851.42

16 (6) of the amount appropriated in 2016 Acts and Resolves No. 160,  
17 Sec. 2(c)(15) (Southern State Correctional Facility, steam line replacement):  
18 \$147,068.63

19 (7) of the amount appropriated in 2016 Acts and Resolves No. 160,  
20 Sec. 2(c)(16) (Statewide, ADA projects, State-owned buildings and  
21 courthouses): \$52,460.30



1	<u>(16) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
2	<u>Sec. 2(c)(8) (Waterbury State Office Complex, Weeks building renovation and</u>	
3	<u>fit-up):</u>	<u>\$224,387.21</u>
4	<u>(17) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
5	<u>Sec. 2(c)(17) (Waterbury State Office Complex, Stanley and Wasson,</u>	
6	<u>demolition of Stanley Hall, and programming, schematic design, and design</u>	
7	<u>development for Wasson Hall):</u>	<u>\$265,247.20</u>
8	<u>(18) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
9	<u>Sec. 6(a)(9) (E-911 compliance grants):</u>	<u>\$39,156.48</u>
10	<u>(19) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
11	<u>Sec. 11(e)(1)(B) (phosphorous removal equipment):</u>	<u>\$58,890.00</u>
12	<u>(20) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
13	<u>Sec. 16(c)(a) (NEK fiber network):</u>	<u>\$209,291.36</u>
14	<u>(21) of the amount appropriated in 2019 Acts and Resolves No. 42,</u>	
15	<u>Sec. 2(b)(6) (120 State Street):</u>	<u>\$800,000.00</u>
16	<u>(22) of the amount appropriated in 2019 Acts and Resolves No. 42,</u>	
17	<u>Sec. 10(b)(2) rustic cabin construction):</u>	<u>\$775,409.25</u>
18	<u>(23) of the amount appropriated in 2019 Acts and Resolves No. 42,</u>	
19	<u>Sec. 17(a)(1) (stand-alone digital public address system):</u>	<u>\$147,177.00</u>
20	<u>(24) of the amount appropriated in 2019 Acts and Resolves No. 42,</u>	
21	<u>Sec. 17(b) (stand-alone digital public address system):</u>	<u>\$174,888.00</u>





1 pursuant to the requirements of 29 V.S.A. § 166. The proceeds of the sale of  
2 14–16 Baldwin Street shall be appropriated to future capital construction  
3 projects.

4 (c) The Commissioner of Buildings and General Services is authorized to  
5 sell the property located at 9 Baldwin Street in Montpelier, Vermont,  
6 contingent upon the completed relocation of the Office of Legislative  
7 Information Technology to 133 State Street. The proceeds from the sale shall  
8 be appropriated to future capital construction projects.

9 Sec. 18. 2021 Acts and Resolves No. 50, Sec. 25b is added to read:

10 Sec. 25b. REDUCING CARBON INTENSITY; STATE BUILDINGS;  
11 STATE ENERGY MANAGEMENT PROGRAM; INTENT

12 (a) It is the intent of the General Assembly that the Department of  
13 Buildings and General Services implement strategies as soon as practicable to  
14 reduce carbon intensity in buildings under the jurisdiction of the Department.  
15 These strategies may include the use of:

16 (1) non-fossil-fuel alternatives when installing or replacing any space  
17 conditioning or water heating systems; and

18 (2) carbon-storing and least-embodied-carbon materials, as evidenced  
19 by appropriate documentation from contractors and suppliers, when  
20 constructing, renovating, or substantially repairing a building or facility.

21 (b) It is also the intent of the General Assembly that the Department of

1 Forests, Parks and Recreations and the Agency of Transportation use the  
2 technical assistance of the State Energy Management Program, created in  
3 29 V.S.A. § 168, for eligible projects.

4 **Sec. 19. 2021 Acts and Resolves No. 50, Sec. 30a is added to read:**

5 **Sec. 30a. NURSING SCHOOL PROGRAMS; SIMULATION**

6 **LABORATORIES; REPORT**

7 On or before January 15, 2023, the Vermont State Colleges, Norwich  
8 University, and the University of Vermont shall each submit a report to the  
9 House Committees on Commerce and Economic Development and on Health  
10 Care and to the Senate Committees on Economic Development, Housing and  
11 General Affairs and on Health and Welfare detailing the infrastructure and  
12 programming needs, estimated costs, and timeline to renovate or construct  
13 nursing simulation laboratories in order to expand student enrollment at  
14 nursing programs in the State.

15 **Sec. 20. 2020 Acts and Resolves No. 154, E.126.3, as amended by 2021 Acts**  
16 **and Resolves No. 50, Sec. 31, is further amended to read:**

17 **Sec. E.126.3 GENERAL ASSEMBLY; STATE BUILDINGS; USE OF**

18 **SPACE; AUTHORITY OF SERGEANT AT ARMS**

19 (a) Notwithstanding the provisions of 29 V.S.A. § 165 and any other  
20 provision of law to the contrary, in order to perform its constitutional duties,

1 the Legislative Branch shall have exclusive use of alternative locations during  
2 the 2021–22 legislative biennium, including the following:

3 (1) 133 State Street:

4 (A) Basement: rooms 012, 016, and 021.

5 (B) First Floor: rooms 121 and 126.

6 (C) Fourth Floor: board room.

7 (2) 109 State Street:

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

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

10 (C) Fourth floor: conference room.

11 (3) 111 State Street: library stacks room on the second floor.

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

16 (1) 2 Aiken Street: entire building.

17 (2) 4 Aiken Street: entire building.

18 (3) 133 State Street:

19 (A) Basement: rooms 015 and 022.

20 (B) First Floor: rooms 122 and 125.



1        This act shall take effect on passage.

2

3

4        (Committee vote: \_\_\_\_\_)

5

\_\_\_\_\_

6

Representative \_\_\_\_\_

7

FOR THE COMMITTEE