

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.

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

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

\$3,624,474.00

(3) Statewide, physical security enhancements: \$250,000.00

(4) <u>Statewide, planning, use and contingency:</u>	<u>\$500,000.00</u>
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(5) Burlington, 108 Cherry Street, parking garage repairs:

\$3,100,000.00

(6) Montpelier, State House, maintenance of interior historic finishes:

\$50,000.00

(7) Montpelier, State House, exhibition, interpretation design and

<u>construction:</u>	\$40,000.00
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(8) Newport, courthouse replacement, planning and design:

\$500,000.00

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

1	<u>(12) Burlington, 32 Cherry Street, parking garage renovations planning,</u>	
2	<u>design, and construction:</u>	<u>\$865,000.00</u>
3	<u>(13) Montpelier, 111 State Street, renovation of stack area, HVAC</u>	
4	<u>upgrades, and elevator:</u>	<u>\$158,000.00</u>
5	<u>(14) Montpelier, 120 State Street, steam lines, interior renovations:</u>	
6		<u>\$525,000.00</u>
7	<u>(15) Montpelier, State House, HVAC renovations:</u>	<u>\$2,535,000.00</u>
8	<u>(16) Rutland, multimodal garage renovation:</u>	<u>\$600,000.00</u>
9	<u>(17) Statewide, three-acre parcel, stormwater planning, design and</u>	
10	<u>implementation:</u>	<u>\$600,000.00</u>
11	<u>(18) Statewide, correctional facilities, door control system replacements:</u>	
12		<u>\$670,000.00</u>
13	<u>Appropriation – FY 2022</u>	<u>\$19,366,774.00</u>
14	<u>Appropriation – FY 2023</u>	<u>\$24,800,442.00</u>
15	<u>Total Appropriation – Section 2</u>	<u>\$44,167,216.00</u>
16	Sec. 3. HUMAN SERVICES	
17	<u>(a) The following sums are appropriated in FY 2022 to the Department of</u>	
18	<u>Buildings and General Services for the Agency of Human Services for the</u>	
19	<u>following projects described in this subsection:</u>	
20	<u>(1) Physically Secure Recovery Residence, design and construction:</u>	
21		<u>\$11,600,000.00</u>

1 (2) Women’s correctional facilities, replacement: \$500,000.00

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

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

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

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

10 (c) The amount appropriated in subdivision (a)(1) of this section shall be
11 used to construct a 16-bed Physically Secure Recovery Residence on Parcel
12 ID# 200-5-003-001 as designated on the Town of Essex’s Tax Parcel Maps for
13 transitional support for individuals who are being discharged from inpatient
14 psychiatric care. The design for the facility shall be for two eight-bed wings
15 and shall not include any locked seclusion area. The facility shall not use
16 emergency involuntary procedures.

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

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

<u>Total Appropriation – Section 3</u>	<u>\$13,550,000.00</u>
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(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>(2) Underwater preserves:</u>	<u>\$35,000.00</u>
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\$25,000.00

(4) <u>Unmarked Burial Fund:</u>	\$63,000.00
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(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:

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

(2) Underwater preserves:	\$25,000.00
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(3) Placement and replacement of roadside historic markers:

\$25,000.00

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

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1	<u>Appropriation – FY 2022</u>	<u>\$473,000.00</u>
2	<u>Appropriation – FY 2023</u>	<u>\$400,000.00</u>
3	<u>Total Appropriation – Section 4</u>	<u>\$873,000.00</u>
4	Sec. 5. GRANT PROGRAMS	
5	<u>(a) The following sums are appropriated in FY 2022 for Building</u>	
6	<u>Communities Grants established in 24 V.S.A. chapter 137:</u>	
7	<u>(1) To the Agency of Commerce and Community Development,</u>	
8	<u>Division for Historic Preservation, for the Historic Preservation Grant</u>	
9	<u>Program:</u>	<u>\$300,000.00</u>
10	<u>(2) To the Agency of Commerce and Community Development,</u>	
11	<u>Division for Historic Preservation, for the Historic Barns Preservation Grant</u>	
12	<u>Program:</u>	<u>\$300,000.00</u>
13	<u>(3) To the Vermont Council on the Arts for the Cultural Facilities Grant</u>	
14	<u>Program, the sum of which may be used to match funds that may be made</u>	
15	<u>available from the National Endowment for the Arts, provided that all capital</u>	
16	<u>funds are made available to the Cultural Facilities Grant Program:</u>	
17		<u>\$300,000.00</u>
18	<u>(4) To the Department of Buildings and General Services for the</u>	
19	<u>Recreational Facilities Grant Program:</u>	<u>\$300,000.00</u>

(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.

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

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

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

5 Appropriation – FY 2023 \$2,100,000.00

6 Total Appropriation – Section 8 \$4,100,000.00

7 Sec. 9. NATURAL RESOURCES

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

11 (1) Drinking Water Supply, Drinking Water State Revolving Fund:
12 \$2,215,714.00

13 (2) Dam safety and hydrology projects: \$310,000.00

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

15 (4) Contaminants of Emerging Concern Special Fund: \$500,000.00

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

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

restrooms and bathhouses, and statewide small-scale road rehabilitation

projects: \$5,000,000.00

(2) Gifford Woods and Groton Forest Park, maintenance facilities:

\$480,000.00

(3) Three-acre stormwater rule compliance: \$325,000.00

(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

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

4 (1) Infrastructure rehabilitation, including statewide small-scale
5 rehabilitation, wastewater repairs, preventive improvements and upgrades of
6 restrooms and bathhouses, and statewide small-scale road rehabilitation
7 projects: \$4,476,553.00

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

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

13 Appropriation – FY 2022 \$11,430,214.00

14 Appropriation – FY 2023 \$9,828,264.00

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

16 Sec. 10. CLEAN WATER INITIATIVES

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

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

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

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

<u>(1) Williston Public Safety Field Station, construction:</u>	<u>\$5,620,000.00</u>
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<u>(2) Middlesex Field Station, renovation:</u>	<u>\$500,000.00</u>
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(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.

<u>Appropriation – FY 2022</u>	<u>\$6,120,000.00</u>
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<u>Appropriation – FY 2023</u>	<u>\$50,000.00</u>
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<u>Appropriation – Section 12</u>	<u>\$6,170,000.00</u>
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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.

<u>Appropriation – FY 2022</u>	<u>\$260,000.00</u>
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<u>Appropriation – FY 2023</u>	<u>\$350,000.00</u>
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<u>Total Appropriation – Section 13</u>	<u>\$610,000.00</u>
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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>
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<u>Appropriation – FY 2023</u>	<u>\$100,000.00</u>
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<u>Total Appropriation – Section 14</u>	<u>\$200,000.00</u>
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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>
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<u>Total Appropriation – Section 15</u>	<u>\$1,500,000.00</u>
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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>
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<u>Appropriation – FY 2023</u>	<u>\$1,800,000.00</u>
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<u>Total Appropriation – Section 16</u>	<u>\$3,600,000.00</u>
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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.

1 Sec. 3(c)(3) (Justice Reinvestment II), the sum of \$249,841.00 is reallocated to
2 defray expenditures authorized in this act.

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

6 (1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
7 16a, as 2018 Acts and Resolves No. 190, Sec. 12: \$133,399.66

8 (2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
9 16(a): \$296,294.00

10 (3) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
11 16(b): \$299,809.00

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

15 (1) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
16 13, as amended by 2018 Acts and Resolves No. 190, Sec. 10(c) (school safety
17 and security grant program): \$955,822.94

18 (2) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
19 13(b) (school safety and security grant program): \$588,698.84

20 (e) Of the amount appropriated to the Department of Public Service in 2017
21 Acts and Resolves No. 84, Sec. 16c, as amended by 2018 Acts and Resolves

1 No. 190, Sec. 14, the sum of \$898,451.00 is reallocated to defray expenditures
2 authorized in this act.

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

4 Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

5 The State Treasurer is authorized to issue general obligation bonds in the
6 amount of \$123,180,000.00 for the purpose of funding the appropriations of
7 this act. The State Treasurer, with the approval of the Governor, shall
8 determine the appropriate form and maturity of the bonds authorized by this
9 section consistent with the underlying nature of the appropriation to be funded.

10 The State Treasurer shall allocate the estimated cost of bond issuance or
11 issuances to the entities to which funds are appropriated pursuant to this
12 section and for which bonding is required as the source of funds, pursuant to
13 32 V.S.A. § 954.

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

15 * * * Policy * * *

16 * * * Buildings and General Services * * *

17 Sec. 20. USE OF FORMER SOUTHEAST STATE CORRECTIONAL

18 FACILITY; WINDSOR; STUDY COMMITTEE; REPORT

19 (a) Creation. There is created the Former Southeast State Correctional
20 Facility Use Study Committee to review and recommend potential uses for the
21 property located at 546 State Farm Road in Windsor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (f) Meetings.

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

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

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

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

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

21 Sec. 21. NEW HAVEN DEPOT BUILDING; RELOCATION

1 (a)(1) The General Assembly finds that the building located at 5450 Ethan
2 Allen Highway in the Town of New Haven (the New Haven Depot Building),
3 owned by the Agency of Commerce and Community Development, Division
4 of Historic Preservation pursuant to Executive Order No. 22, dated
5 November 26, 1975, must be relocated to meet the safety standards required
6 for the changing operations of rail service.

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

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

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

19 (c) If the State Historic Preservation Officer and the Secretary of
20 Transportation deem a relocation of the New Haven Depot Building is not
21 physically or financially practicable, the State Historic Preservation Officer, in

1 coordination with the Commissioner of Buildings and General Services and the
2 Secretary of Transportation, is authorized to decommission the building and
3 delist it from the National Register of Historic Places.

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

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

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

9 Sec. 3a. REPEAL

10 2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is
11 repealed on ~~June 30, 2021~~ June 30, 2023.

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

17 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
18 ~~2021~~ July 1, 2023.

19 * * * Federal Funds * * *

1 Sec. 25. PROCESS FOR USE OF FEDERAL FUNDS; FY 2022 AND FY
2 2023; WATER AND SEWER INFRASTRUCTURE

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

11 (b) Offset with federal funds. If the Commissioner of Finance and
12 Management determines that any FY 2022 appropriations for water and sewer
13 infrastructure may be offset by using 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, the Commissioner of Finance and
16 Management is authorized to substitute the federal funds for capital funds. The
17 Commissioner shall notify the Chairs of the House Committee on Corrections
18 and Institutions and the Senate Committee on Institutions of any substitution of
19 funds in accordance with this subsection. Any State capital funds offset
20 pursuant to this section shall be used for future capital construction projects in
21 the FY 2022 capital budget adjustment process.

1 (c) Report. On or before December 15, 2021, the Commissioner shall
2 review and recommend water and sewer infrastructure projects funded in FY
3 2023 of this act and submit a list of any recommended substitutions and
4 additional amounts of federal funds that may be used for FY 2023 to the Chairs
5 of the House Committee on Corrections and Institutions and the Senate
6 Committee on Institutions and to the Governor for the FY 2022–2023 capital
7 budget adjustment report.

8 (d) Reservation of funds. In accordance with this section, the
9 Commissioner of Finance and Management may reserve not more than
10 \$30,000,000.00 for substitution of federal funds provided to the State by the
11 American Rescue Plan Act of 2021, Pub. L. 117-2 in State and Local
12 Coronavirus Fiscal Recovery Funds pursuant to subsection (a) of this section,
13 and is authorized to substitute not more than \$15,000,000.00 in FY 2022. Of
14 the \$30,000,000.00, any remaining unexpended amounts not substituted in FY
15 2022 may be used in FY 2023.

16 Sec. 26. FEDERAL FUNDS; CAPITAL PROJECTS

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

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

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

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

9 (c) Recommendation.

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

16 (2) For the designated use described in subdivision (b)(2) of this section,
17 on or before January 15, 2022, the Joint Legislative Management Committee
18 shall submit recommendations on the use of federal funds from the
19 Coronavirus Capital Projects Fund for infrastructure in the Legislative Branch,
20 and the Court Administrator shall submit recommendations on the use of
21 federal funds from the Coronavirus Capital Projects Fund for infrastructure in

1 the Judicial Branch, to the House Committee on Corrections and Institutions
2 and the Senate Committee on Institutions for allocation in the FY 2022–2023
3 Capital Budget Adjustment Act.

4 * * * Human Services * * *

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

6 LEGISLATIVE INTENT

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

12 Sec. 28. RESIDENTIAL BEDS FOR INDIVIDUALS DISCHARGED FROM

13 INPATIENT PSYCHIATRIC CARE

14 (a) On or before August 1, 2021, the Department of Mental Health shall
15 issue a request for information from designated and specialized service
16 agencies and peer-run agencies for developing and implementing programming
17 for unlocked community residences for transitional support for individuals
18 being discharged from inpatient psychiatric care or for intervention to prevent
19 inpatient care. Responses to the request for information shall be provided to
20 the Department of Mental Health not later than December 1, 2021 and shall

1 include provisions that address the need to develop and implement community
2 residential programming for youths.

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

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

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

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

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

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

5 Sec. 29. REPEAL

6 2019 Acts and Resolves No. 42, Sec. 31, as amended by 2020 Acts and
7 Resolves No. 139, Sec. 28, is repealed upon passage of this act.

8 * * * Natural Resources * * *

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

10 § 4764. PLANNING

11 (a) Engineering planning advance. A municipality or a combination of two
12 or more municipalities desiring an advance of funds for engineering and land
13 use planning for public water supply systems, as defined in subdivision
14 4752(9) of this title, or improvements, or for clean water projects or
15 improvements, may apply to the Department for an advance under this chapter.

16 As used in this subsection, “engineering planning” may include source
17 exploration, surveys, reports, designs, plans, specifications, or other
18 engineering services necessary in preparation for construction of the types of
19 systems or facilities referred to in this section. Not more than 25 percent of
20 funds awarded to a municipality as a planning advance pursuant to this
21 subsection may be utilized to evaluate land use implications of facilities,

1 including impacts on the State Planning Goals as set forth in section 4302 of
2 this title, availability of housing, and economic development.

3 * * *

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

11 * * * Effective Date * * *

12 Sec. 31. EFFECTIVE DATE

13 This act shall take effect upon passage.