

1 Introduced by Committee on Corrections and Institutions

2 Date:

3 Subject: Capital construction; State bonding; budget adjustment

4 Statement of purpose of bill as introduced: This bill proposes to adjust the
5 FY 2022 capital construction budget.

6 An act relating to capital construction and State bonding budget adjustment

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

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

9 Sec. 1. LEGISLATIVE INTENT

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

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

19 (c) It is also the intent of the General Assembly that in the second year of
20 the biennium the General Assembly address the impacts of the COVID-19

1 pandemic by offsetting capital projects funded in this act with funds
2 appropriated to the State from the American Rescue Plan Act of 2021, Pub. L.
3 No. 117-2 (ARPA) to the extent these appropriations are in compliance with
4 federal law and guidance. It is also the intent of the General Assembly that
5 any capital project that is supported with ARPA funds is authorized in this act.

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

7 Sec. 2. STATE BUILDINGS

8 * * *

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

10 (1) Statewide, major maintenance: \$7,350,000.00

11 * * *

12 ~~(17) Statewide, three-acre parcel, stormwater planning, design and~~
13 ~~implementation:~~ \$600,000.00

14 ~~(18)~~ Statewide, correctional facilities, door control system replacements:
15 \$670,000.00

16 (18) Burlington, 108 Cherry Street, parking garage repairs:
17 \$X,XXX,XXX

18 (19) Springfield, Southern State Correctional Facility, door control
19 system replacement: \$X,XXX,XXX

Appropriation – FY 2022		\$19,316,774.00
Appropriation – FY 2023	\$24,800,442.00	<u>\$X,XXX,XXX</u>
Total Appropriation – Section 2	\$44,117,216.00	<u>\$X,XXX,XXX</u>

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

(4) Statewide, correctional facilities, accessibility improvements,

Americans with Disabilities Act (ADA) compliance: \$X,XXX,XXX

6	Appropriation – FY 2022	\$12,350,000.00
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7	Appropriation – FY 2023	\$1,200,000.00	<u>\$X,XXX,XXX</u>
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8	Total Appropriation – Section 3	\$13,550,000.00	<u>\$X,XXX,XXX</u>
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9 Sec. X. 2021 Acts and Resolves No. 50, Sec. 9 is amended to read:

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(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:

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16	(2) Dam safety and hydrology projects:	\$805,000.00	\$X,XXX,XXX
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18 (4) Infrastructure Investment and Jobs Act, Drinking and Clean Water

19	<u>State Revolving Fund:</u>	\$X,XXX,XXX
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(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 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

(h) For the amount appropriated in subdivision (e)(2) of this section, the funds shall not be released until the federal grant has been received by the State.

Appropriation – FY 2022 \$11,455,214.00

Appropriation – FY 2023 \$9,853,264.00 \$X,XXX,XXX

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

Sec. X. 2021 Acts and Resolves No. 50, Sec. 10 is amended to read:

Sec. 10. CLEAN WATER INITIATIVES

* * *

(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.~~ [Repealed.]

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(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.~~

(1) The amount of \$X,XXX,XXX is appropriated in FY 2023 to the Agency of Natural Resources for the Department of Environmental Conservation for the Water Pollution Control Fund, Clean Water State/EPA Revolving Loan Fund (CWSRF) match.

(2) The amount of \$X,XXX,XXX is appropriated in FY 2023 to the Vermont Housing and Conservation Board for land conservation and water quality projects.

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Appropriation – FY 2022 \$11,000,000.00

\$10,500,000.00

1	Appropriation – FY 2023	\$11,000,000.00
2		<u>\$X,XXX,XXX</u>
3	Total Appropriation – Section 10	\$22,000,000.00
4		<u>\$X,XXX,XXX</u>

5 Sec. X. 2021 Acts and Resolves No. 50, Sec. 11 is amended to read:

6 Sec. 11. MILITARY

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

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

12	Appropriation – FY 2022	\$900,000.00
13	Appropriation – FY 2023	\$900,000.00 <u>\$X,XXX,XXX</u>
14	Total Appropriation – Section 11	\$1,800,000.00 <u>\$X,XXX,XXX</u>

15 Sec. X. 2021 Acts and Resolves No. 50, Sec. 12 is amended to read:

16 Sec. 12. PUBLIC SAFETY

17 * * *

18 (b) ~~The sum of \$50,000.00 is appropriated in FY 2023 to the Department of~~
19 ~~Public Safety for a feasibility study for the Vermont Police Academy in~~
20 ~~Pittsford.~~ The following amounts are appropriated in FY 2023 to the
21 Department of Public Safety for the projects described in this subsection:

2 (2) Williston Public Safety Field Station, construction: \$X,XXX,XXX

4	Appropriation – FY 2023	\$50,000.00	<u>\$X,XXX,XXX</u>
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5	Total Appropriation – Section 12	\$6,170,000.00	<u>\$X,XXX,XXX</u>
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7 Sec. 13. AGRICULTURE, FOOD AND MARKETS

9 (b) The sum of ~~\$350,000.00~~ \$X,XXX,XXX is appropriated in FY 2023 to

14	Appropriation – FY 2022	\$260,000.00
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15	Appropriation – FY 2023	\$350,000.00	\$X,XXX,XXX
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16	Total Appropriation – Section 13	\$610,000.00	<u>\$X,XXX,XXX</u>
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1 Sec. X. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:

2 Sec. 17b. SERGEANT AT ARMS

3 The amount of \$X,XXX,XXX is appropriated in FY 2023 to the Sergeant at
4 Arms for upgrades to the third floor of 2 Aiken Street.

5 Sec. X. 2021 Acts and Resolves No. 50, Sec. 17b is added to read:

6 Sec. 17b. FY 2023; AMERICAN RESCUE PLAN ACT; STATE AND
7 LOCAL FISCAL RECOVERY FUND; CLEAN WATER
8 PROJECTS; WATER AND SEWER INFRASTRUCTURE;
9 AUTHORIZATIONS

10 (a) Findings. The General Assembly finds:

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

17 (2) The Commissioner of Finance and Management did not use the
18 authority described in subdivision (1) of this subsection (a) of this section
19 during adjournment of the legislation session, but the Governor's fiscal year
20 2022–2023 capital budget adjustment report did include recommendations for
21 water and sewer infrastructure projects historically funded in the State's capital

1 construction act that could be funded in fiscal years 2022 and 2023 with ARPA
2 funds.

3 (b) Intent. It is the intent of the General Assembly to authorize certain
4 water and sewer infrastructure projects that are eligible for ARPA funds in this
5 act but appropriate the funds for these projects in the FY 2023 Annual
6 Appropriations Act.

7 (c) Authorizations. In fiscal years 2022 and 2023, the following capital
8 projects are authorized to be undertaken with funds appropriated in the FY
9 2023 Annual Appropriations Act:

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

13 (2) In FY 2023, the Agency of Agriculture, Food and Markets is
14 authorized to issue water quality grants and contracts.

15 (3) In FY 2023, the Department of Environmental Conservation is
16 authorized to issue municipal pollution control grants.

17 (4) In FY 2023, the Department of Forests, Parks and Recreation is
18 authorized to conduct major maintenance at State parks.

19 (5) In FY 2023, the Vermont Housing and Conservation Board is
20 authorized to issue grants for water quality improvement projects.

21 Sec. X. 2021 Acts and Resolves No. 50, Sec. 17c is added to read:

1 Sec. 17c. FY 2023; AMERICAN RESCUE PLAN ACT; CAPITAL

2 PROJECTS FUND; APPROPRIATIONS

3 (a) Intent.

4 (1) To the extent permitted by federal law and guidance, it is the intent
5 of the General Assembly to appropriate in this act federal funds from the
6 Coronavirus Capital Projects Fund provided to the State by the American
7 Rescue Plan Act of 2021, Pub. L. 117-2 to carry out critical capital projects for
8 the Executive, Legislative, and Judicial Branches to directly enable work,
9 education, and health monitoring in response to the public health emergency
10 with respect to the Coronavirus Disease (COVID-19).

11 (2) It is also the intent of the General Assembly that, in compliance with
12 federal law and guidance, projects that receive an appropriation from the
13 Coronavirus Capital Projects Fund meet the following criteria:

14 (A) are an investment in capital assets designed to directly enable
15 work, education, and health monitoring;

16 (B) are designed to address a critical need that is resulting from or
17 made apparent or exacerbated by COVID-19; and

18 (C) are designed to address a critical need in the community the
19 project serves.

20 (b) Appropriations. The following sums are appropriated from the
21 Coronavirus Capital Projects Fund for the projects described below:

VT LEG #360874 v.1

(12) of the amount appropriated in 2018 Acts and Resolves No. 190,
Sec. 2(c)(17) (Waterbury State Office Complex, Stanley and Wasson,
demolition of Stanley Hall, and programming, schematic design, and design
development for Wasson Hall): \$200,219.96

(13) of the amount appropriated in **2020 Acts and Resolves No. 42,**

Sec. 3(c)(5) (Windsor and St. Johnsbury, site preparation, relocation and

rebuild of a greenhouse at the Caledonia County Workcamp from the former

Southeast State Correctional Facility): \$162,872.00

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

Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) 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.

(b) The State Treasurer is authorized to issue additional general obligation bonds in the amount of \$6,492,382.00 that were previously appropriated but

Total Revenues – Section 19	\$123,180,000.00	<u>\$X,XXX,XXX</u>
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Sec. 21a. ~~13 BALDWIN STREET; SALE OF PROPERTY~~ PROPERTIES

Sec. X. EFFECTIVE DATE

- 1 This act shall take effect on passage.