

1 Introduced by Committee on Corrections and Institutions

2 Date:

3 Subject: Capital construction; capital appropriations; State bonding

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

6 An act relating to capital construction and State bonding

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

8 * * * Capital Appropriations * * *

9 Sec. 1. LEGISLATIVE INTENT

10 (a) It is the intent of the General Assembly that of the \$123,180,000.00
11 authorized in this act, not more than \$XXXXXXXX shall be appropriated in the
12 first year of the biennium, and the remainder shall be appropriated in the second
13 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 a Capital Construction and State Bonding Adjustment
17 Bill. It is the intent of the General Assembly that unless otherwise indicated, all
18 appropriations in this act are subject to capital budget adjustment.

19 Sec. 2. STATE BUILDINGS

20 (a) The following sums are appropriated to the Department of Buildings and

1 General Services, and the Commissioner is authorized to direct funds
2 appropriated in this section to the projects contained in this section; however, no
3 project shall be canceled unless the Chairs of the Senate Committee on
4 Institutions and the House Committee on Corrections and Institutions are
5 notified before that action is taken.

6 (b) The following sums are appropriated in FY 2020:

7 (1) Statewide, BGS engineering and architectural project costs:

8 \$3,584,423.00

9 (2) Statewide, physical security enhancements:

\$275,000.00

10 (3) Statewide, major maintenance:

\$6,500,000.00

11 (4) Statewide, planning, use, and contingency:

\$500,000.00

12 (5) Burlington, 108 Cherry Street, parking garage repairs:

13 \$3,000,000.00

14 (6) Montpelier, 120 State Street, stair towers and rear entry:

15 \$3,500,000.00

16 (7) Montpelier, Statehouse, carpeting, seating, draperies, and interior

17 furnishings:

\$75,000.00

18 (8) Montpelier, Department of Labor, facilities modernization project:

19 \$120,000.00

20 (9) Newport, NSCF, direct digital control system replacement:

21 \$900,000.00

1	<u>(10) Rutland, Asa Bloomer, major renovation:</u>	<u>\$250,000.00</u>
2	<u>(11) Southern State Correctional Facility, door controls:</u>	<u>\$1,450,000.00</u>
3	<u>(c) The following sums are appropriated in FY 2021:</u>	
4	<u>(1) Statewide, BGS engineering and architectural project costs:</u>	
5		<u>\$3,735,000.00</u>
6	<u>(2) Statewide, physical security enhancements:</u>	<u>\$275,000.00</u>
7	<u>(3) Statewide, major maintenance:</u>	<u>\$6,500,000.00</u>
8	<u>(4) Statewide, planning, use, and contingency:</u>	<u>\$500,000.00</u>
9	<u>(5) Burlington, 108 Cherry Street, parking garage repairs:</u>	
10		<u>\$7,500,000.00</u>
11	<u>(6) Montpelier, Statehouse, carpeting, seating, draperies, and interior</u>	
12	<u>furnishings:</u>	<u>\$75,000.00</u>
13	<u>(7) Montpelier, Department of Labor, facilities modernization project:</u>	
14		<u>\$300,000.00</u>
15	<u>(8) Newport, NSCF, direct digital control system replacement:</u>	
16		<u>\$900,000.00</u>
17	<u>(9) Rutland, Asa Bloomer, major renovation:</u>	<u>\$250,000.00</u>
18	<u>(10) Southern State Correctional Facility, door controls:</u>	<u>\$1,000,000.00</u>
19	<u>Appropriation – FY 2020</u>	<u>\$20,153,423.00</u>
20	<u>Appropriation – FY 2021</u>	<u>\$21,035,000.00</u>
21	<u>Total Appropriation – Section 2</u>	<u>\$41,188,423.00</u>

1 Sec. 3. HUMAN SERVICES

2 (a) The following sums are appropriated in FY 2020 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) Statewide, therapeutic community residence, replacement, land
6 acquisition, design, permitting, and construction documents: \$3,000,000.00

7 (2) Rutland, Rutland Regional Medical Center, mental health beds,
8 renovation, and fit-up: \$100,000.00

9 (3) Department of Vermont Health Access, Integrated Eligibility and
10 Enrollment: \$4,000,000.00

11 (4) Statewide, correctional facility, life safety and security needs and
12 enhancements: \$250,000.00

13 (5) Statewide, correctional facility, replacement of Chittenden Regional
14 Correctional Facility, planning and feasibility: \$250,000.00

15 (b) The following sums are appropriated in FY 2021 to the Department of
16 Buildings and General Services for the Agency of Human Services for the
17 following projects described in this subsection:

18 (1) Statewide, therapeutic community residence, replacement, land
19 acquisition, design, permitting, and construction: \$1,500,000.00

20 (2) Department of Vermont Health Access, Integrated Eligibility and
21 Enrollment: \$4,500,000.00

1 (ii) the RRMC shall provide access to a minimum of eight beds to
2 the State in a therapeutic community residence for a period determined by the
3 Secretary to be in the best interests of the State;

4 (iii) the RRMC shall target a completion date for the renovation and
5 fit-up project of December 2020; and

6 (iv) terms and conditions that ensure the protection of State
7 investment of capital appropriations, including:

8 (I) an initial strategic plan for long-term reuse of the new
9 facility;

10 (II) authority for the Agency of Human Services to access
11 RRMC's financials to ensure the success of the strategic plan described in
12 subdivision (1)(A)(iv)(I) of this subsection; and

13 (III) a process for sharing information necessary to the
14 Department of Mental Health for its statutory oversight responsibilities.

15 (B) The Commissioner of Buildings and General Services and the
16 Secretary of Human Services may also propose draft legislation to the House
17 Committees on Corrections and Institutions and on Health Care and the Senate
18 Committees on Health and Welfare and on Institutions that may be necessary to
19 execute the agreement described in subdivision (1) of this subsection (c).

20 (C) On or before October 15, 2019, the Secretary of Human Services shall
21 notify the Chairs of the House Committees on Corrections and Institutions and

1 on Health Care and of the Senate Committees on Health and Welfare and on
2 Institutions if an agreement between the RRMC and the State of Vermont cannot
3 be reached and shall submit to them an alternative proposal for the eight beds.
4 With approval of the Speaker of the House and the President Pro Tempore of the
5 Senate, as appropriate, the House Committees on Corrections and Institutions
6 and on Health Care and the Senate Committees on Health and Welfare and on
7 Institutions may meet up to two times when the General Assembly is not in
8 session to evaluate, approve, or recommend alterations to the proposal.
9 Members of the House Committees on Corrections and Institutions and on
10 Health Care and the Senate Committees on Health and Welfare and on
11 Institutions shall be entitled to receive a per diem and expenses as provided in
12 2 V.S.A. § 406. The Secretary of Human Services shall submit a copy of the
13 alternative proposal described in this subdivision to the Joint Fiscal Committee.

14 (2) State-owned facility. On or before January 15, 2020, the Secretary of
15 Human Services and the Commissioner of Buildings and General Services shall
16 develop options for constructing the State-owned facility described in subsection
17 (a) of this section and shall present these options to the House Committee on
18 Corrections and Institutions and the Senate Committee on Institutions.

19 (d)(1) The Department of Buildings and General Services is authorized to
20 use the funds appropriated in subdivision (a)(5) of this section to evaluate
21 options for the site location of a new correctional facility to replace the

1 Chittenden Regional Correctional Facility. The investigation shall be conducted
2 within the context of developing an overall strategic plan for Statewide
3 correctional facilities and shall include conducting feasibility studies and
4 program analysis, site selection, purchase opportunities, and whether the new
5 correctional facility should be a separate facility or part of a campus.

6 (2) On or before December 15, 2019, the Commissioner of Buildings and
7 General Services, in consultation with the Commissioner of Corrections, shall
8 submit a recommendation for a site location for the new correctional facility to
9 the Chairs of the House Committee on Corrections and Institutions and the
10 Senate Committee on Institutions, based on the evaluation described in
11 subdivision (1) of this subsection. It is the intent of the General Assembly that
12 when evaluating site locations, preference shall be first given to State-owned
13 property.

14 (3) The Commissioner of Buildings and General Services shall notify the
15 House Committee on Corrections and Institutions and the Senate Committee on
16 Institutions at least monthly of updates on the recommendation described in this
17 subsection.

18	<u>Appropriation – FY 2020</u>	<u>\$7,600,000.00</u>
19	<u>Appropriation – FY 2021</u>	<u>\$6,225,000.00</u>
20	<u>Total Appropriation – Section 3</u>	<u>\$13,825,000.00</u>

1 (1) the funds shall be used to replace all fixtures in schools that provide
2 water for drinking or cooking if the Department of Health and the Agency of
3 Natural Resources find elevated lead levels that are greater than or equal to
4 15 parts per billion in at least one water tap; and

5 (2) the Department of Health and the Agency of Natural Resources must
6 determine that the elevated lead levels present a condition that threatens the
7 health or safety of students or employees.

8 <u>Appropriation – FY 2020</u>	<u>\$550,000.00</u>
9 <u>Appropriation – FY 2021</u>	<u>\$50,000.00</u>
10 <u>Total Appropriation – Section 7</u>	<u>\$600,000.00</u>

11 Sec. 8. UNIVERSITY OF VERMONT

12 (a) The sum of \$1,400,000.00 is appropriated in FY 2020 to the University
13 of Vermont for construction, renovation, and major maintenance.

14 (b) The sum of \$1,000,000.00 is appropriated in FY 2021 to the University
15 of Vermont for the projects described in subsection (a) of this section.

16 (c) The Vermont Division for Historic Preservation and Vermont Advisory
17 Council on Historic Preservation shall be consulted on projects utilizing the
18 funds appropriated in this section before the alteration or demolition of any
19 property that is potentially of historical, architectural, archaeological, or cultural
20 significance, including any property listed in or eligible for the State Register of
21 Historic Places.

1	<u>Appropriation – FY 2020</u>	<u>\$1,400,000.00</u>
2	<u>Appropriation – FY 2021</u>	<u>\$1,000,000.00</u>
3	<u>Total Appropriation – Section 8</u>	<u>\$2,400,000.00</u>

4 Sec. 9. VERMONT STATE COLLEGES

5 (a) The sum of \$2,000,000.00 is appropriated in FY 2020 to the Vermont
6 State Colleges for construction, renovation, and major maintenance.

7 (b) The sum of \$2,000,000.00 is appropriated in FY 2021 to the Vermont
8 State Colleges for the projects described in subsection (a) of this section.

9 (c) The Vermont Division for Historic Preservation and Vermont Advisory
10 Council on Historic Preservation shall be consulted on projects utilizing the
11 funds appropriated in this section before the alteration or demolition of any
12 property that is potentially of historical, architectural, archaeological, or cultural
13 significance, including any property listed in or eligible for the State Register of
14 Historic Places.

15	<u>Appropriation – FY 2020</u>	<u>\$2,000,000.00</u>
16	<u>Appropriation – FY 2021</u>	<u>\$2,000,000.00</u>
17	<u>Total Appropriation – Section 9</u>	<u>\$4,000,000.00</u>

18 Sec. 10. NATURAL RESOURCES

19 (a) The following sums are appropriated in FY 2020 to the Agency of
20 Natural Resources for the Department of Environmental Conservation for the
21 projects described in this subsection:

1 infrastructure projects, including small scale maintenance and rehabilitation of
2 infrastructure.

3 Appropriation – FY 2020 \$8,970,807.00

4 Appropriation – FY 2021 \$7,316,400.00

5 Total Appropriation – Section 10 \$16,287,207.00

6 Sec. 11. CLEAN WATER INITIATIVES

7 (a) The sum of \$3,450,000.00 is appropriated in FY 2020 to the Agency of
8 Agriculture, Food and Markets for water quality grants and contracts.

9 (b) The following sums are appropriated in FY 2020 to the Agency of
10 Natural Resources for the Department of Environmental Conservation projects
11 described in this subsection:

12 (1) Water Pollution Control Fund, Clean Water State/EPA Revolving
13 Loan Fund (CWSRF) match: \$2,500,000.00

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

16 (c)(1) The sum of \$50,000.00 is appropriated in FY 2020 to the Agency of
17 Natural Resources for the Department of Forests, Parks and Recreation for a
18 grant for forestry skidder bridges.

19 (2) An applicant for a grant awarded pursuant to subdivision (1) of this
20 subsection shall pay at least 40 percent of the total cost of a wooden skidder
21 bridge, and at least 20 percent of the cost of a steel skidder bridge.

1 (d)(1) The following sums are appropriated in FY 2020 to the Vermont

2 Housing and Conservation Board for the following projects:

3 (A) Agricultural water quality projects: \$1,100,000.00

4 (B) Land conservation and water quality projects: \$1,700,000.00

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

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

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

10 (e) The sum of \$13,900,000.00 is appropriated in FY 2021 to the Agency of
11 Natural Resources for the Department of Environmental Conservation for clean
12 water implementation projects.

13 (f) On or before December 1, 2019:

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

16 (2) the Board shall submit the list of programs recommended for FY 2021
17 to the Chairs of the House Committee on Corrections and Institutions and the
18 Senate Committee on Institutions and to the Governor for the FY 2021 capital
19 budget adjustment report.

1 entities to which funds are appropriated pursuant to this section and for which
2 bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

3 Total Revenues – Section 21 \$123,180,000.00

4 * * * Policy * * *

5 * * * Buildings and General Services * * *

6 Sec. 22. PROPERTY TRANSACTIONS; MISCELLANEOUS

7 (a)(1) The Commissioner of Buildings and General Services is authorized to
8 sell the following five properties:

9 (A) Jay Peak Villages Townhouse V132, 236 South Village Road, Jay,
10 Vermont;

11 (B) Parcel Number 17-0400027, Shallow Brook Road, TH 40, Jay,
12 Vermont;

13 (C) Parcel Number 06-0040006, known as Okcha Land, 76.3 Acres,
14 Jay, Vermont;

15 (D) Vermont Aquiras Farms, 1294 Loop Road, Troy, Vermont; and

16 (E) Parcel Number 7020043.000, 4452 Darling Hill Road, Burke,
17 Vermont.

18 (2) Notwithstanding 29 V.S.A. § 166(d), the net proceeds of the sale of
19 the properties describes in subdivision (1) of this subsection (a) shall be

1 transferred to the Newport Economic Development Settlement Fund at the
2 Department of Economic Development (Dept ID 7120010481).

3 (b)(1) The Commissioner of Buildings and General Services is authorized to
4 transfer a 20-foot by 20-foot parcel located on the Monacy National Battlefield
5 located at 5201 Urbana Pike, Frederick, Maryland to the United States National
6 Park Service.

7 (2) The Commissioner of Buildings and General Services, on behalf of
8 the Division for Historic Preservation, is also authorized to enter into an
9 agreement to transfer the 10th Vermont Volunteer Infantry Regiment Monument
10 at the Monocacy National Battlefield Park in Frederick, Maryland, to the United
11 States National Park Service. The transfer shall be subject to conditions that
12 ensure rights of access, public visitation, and preservation of the Monument.

13 Sec. 23. 29 V.S.A. § 166(b) is amended to read:

14 (b) Upon authorization by the General Assembly, which may be granted by
15 resolution, and with the advice and consent of the Governor, the Commissioner
16 of Buildings and General Services may sell real estate owned by the State. Such
17 property shall be sold to the highest bidder therefor at public auction or upon
18 sealed bids in the discretion of the Commissioner of Buildings and General
19 Services, who may reject any or all bids, or the Commissioner is authorized to
20 list the sale of property with a real estate agent licensed by the State of Vermont.
21 If the Commissioner elects to sell the property by auction or by sealed bid,

1 ~~Notice~~ notice of the sale or a request for sealed bids shall be posted in at least
2 three public places in the town where the property is located and also published
3 three times in a newspaper having a known circulation in the town, the last
4 publication to be not less than 10 days before the date of sale or opening of the
5 bids. ~~Failing to consummate a sale under the method prescribed in this section,~~
6 ~~the Commissioner of Buildings and General Services is authorized to list the~~
7 ~~sale of this property with a real estate agent licensed by the State of Vermont.~~
8 This subsection shall not apply to exchanges of lands or sales of timber made in
9 accordance with the provisions of 10 V.S.A. chapter 55 or to the sale of land or
10 interests in land made in accordance with the provisions of 10 V.S.A. chapter
11 83.

12 Sec. 24. 2016 Acts and Resolves No. 88, Sec. 3a is amended to read:

13 Sec. 3a. REPEAL

14 2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is
15 repealed on ~~June 30, 2019~~ June 30, 2021.

16 Sec. 25. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
17 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58, Sec. 113.1,
18 2017 Acts and Resolves No. 84, Sec. 29, and 2018 Acts and Resolves No. 190,
19 Sec. 19 is further amended to read:

20 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
21 2019 July 1, 2020.

1 purposes set forth in section 4754 of this chapter. Each of the loans shall be
2 made subject to the following conditions and limitations:

3 * * *

4 (3) The loan shall be evidenced by a municipal bond, payable by the
5 municipality over a term not to exceed ~~30~~ 40 years or the projected useful life of
6 the project, whichever is less, except:

7 (A) there shall be no deferral of payment;

8 (B) the term of the loan shall not exceed ~~20~~ 30 years when required by
9 section 4763c of this title; ~~and~~

10 (C) the loan may be evidenced by any other permitted debt instrument
11 payable as permitted by chapter 53 of this title; and

12 (D) the term of the loan shall not exceed 30 years for clean water
13 projects.

14 * * *

15 Sec. 34. 24 V.S.A. § 4763c is amended to read:

16 § 4763C. LOANS TO MUNICIPALITIES FOR MUNICIPAL PUBLIC
17 WATER SUPPLY SYSTEMS

18 (a) The Secretary may certify to the Vermont Municipal Bond Bank
19 established by section 4571 of this title the award of a loan to a municipality to
20 assist with a public water supply system project, when the Secretary finds that:

21 (1) the project is necessary;

