

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. 1. 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~~ \$69,549,988.00 shall be
12 appropriated in the first year of the biennium, and the remainder shall be
13 appropriated in the 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 with funds appropriated to the State
2 from the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (ARPA) to the
3 extent these appropriations are in compliance with federal law and guidance. It
4 is also the intent of the General Assembly that any capital project that is
5 supported with ARPA funds is authorized in this act.

6 Sec. 2. 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 \$XXXXXXXX

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

12 \$3,747,422.00 [Repealed.]

13 * * *

14 (12) Burlington, 32 Cherry Street, parking garage renovations planning,

15 design, and construction: \$865,000.00 \$565,000.00

16 * * *

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

18 implementation: \$600,000.00

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

20 \$670,000.00

1 (b) ~~The following sums are appropriated in FY 2023 to the Vermont State~~
2 ~~Colleges for the projects described in subsection:~~

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

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

6 The sum of \$3,000,000.00 is appropriated in FY 2023 to the Vermont State
7 Colleges for the projects described in subsection (a) of this section.

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

9 Appropriation – FY 2023 ~~\$2,100,000.00~~ \$3,000,000.00

10 Total Appropriation – Section 8 ~~\$4,100,000.00~~ \$5,000,000.00

11 Sec. 6. 2021 Acts and Resolves No. 50, Sec. 9 is amended to read:

12 Sec. 9. NATURAL RESOURCES

13 * * *

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

17 * * *

18 ~~(2) Dam safety and hydrology projects~~ High Hazard Dam, dam safety
19 improvements: ~~\$805,000.00~~ \$3,115,000.00

20 * * *

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

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

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

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

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

10 (A) Agricultural water quality projects: \$800,000.00

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

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

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

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

17 Appropriation – FY 2022 \$11,000,000.00

18 \$10,500,000.00

19 Appropriation – FY 2023 \$11,000,000.00

20 \$4,336,781.00

1 Total Appropriation – Section 10 \$22,000,000.00
2 \$14,836,781.00

3 Sec. 8. 2021 Acts and Resolves No. 50, Sec. 11 is amended to read:

4 Sec. 11. MILITARY

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

8 (b) The sum of ~~\$900,000.00~~ \$1,100,000.00 is appropriated in FY 2023
9 to the Department of Military for the projects described in subsection (a) of
10 this section.

11 Appropriation – FY 2022 \$900,000.00
12 Appropriation – FY 2023 ~~\$900,000.00~~ \$1,100,000.00
13 Total Appropriation – Section 11 ~~\$1,800,000.00~~ \$2,000,000.00

14 Sec. 9. 2021 Acts and Resolves No. 50, Sec. 12 is amended to read:

15 Sec. 12. PUBLIC SAFETY

16 * * *

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

21 (1) Pittsford, Vermont Policy Academy, feasibility study: \$50,000.00

1	<u>(2) Williston Public Safety Field Station, construction:</u>	<u>\$3,500,000.00</u>
2	Appropriation – FY 2022	\$6,120,000.00
3	Appropriation – FY 2023	\$50,000.00 <u>\$9,620,000.00</u>
4	Total Appropriation – Section 12	\$6,170,000.00 <u>\$X,XXX,XXX</u>

5 Sec. 10. 2021 Acts and Resolves No. 50, Sec. 13 is amended to read:

6 Sec. 13. AGRICULTURE, FOOD AND MARKETS

7 * * *

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

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

16 **Sec. 11. 2021 Acts and Resolves No. 50, Sec. 17a is added to read:**

17 Sec. 17a. SERGEANT AT ARMS

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

20	<u>Total Appropriation – Section 17a</u>	<u>\$185,000.00</u>
----	--	---------------------

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

1 Sec. 17b. FY 2022 and 2023; AMERICAN RESCUE PLAN ACT; STATE
2 AND LOCAL FISCAL RECOVERY FUND; CLEAN WATER
3 PROJECTS; WATER AND SEWER INFRASTRUCTURE;
4 AUTHORIZATIONS

5 (a) Findings. The General Assembly finds:

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

12 (2) The Commissioner of Finance and Management did not use the
13 authority described in subdivision (1) of this subsection (a) of this section
14 during adjournment of the legislative session, but the Governor’s fiscal year
15 2022–2023 capital budget adjustment report did include recommendations for
16 water and sewer infrastructure projects historically funded in the State’s capital
17 construction act that could be funded in fiscal years 2022 and 2023 with ARPA
18 funds.

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

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

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

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

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

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

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

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

1 (2) the amount of \$15,900,000.00 to the Department of Libraries for the
2 Libraries Capital Project for capital improvements to libraries, including
3 Americans with Disabilities Act compliance, space renovations for improved
4 Internet access for telehealth appointments and job interviews, and general
5 building renovations.

6 (3) the amount of \$25,619,184.00 to the Department of Public Service in
7 order to support and accelerate the State’s goal of achieving universal access to
8 reliable, high-quality, affordable broadband. This appropriation shall be
9 transferred to the Vermont Community Broadband Fund to make grants
10 through the Broadband Construction Program.

11 (4) the amount of \$21,500,000.00 to the Department of Public Service
12 for the critical communications expansion program to support the deployment
13 of new mobile wireless installations to improve service along State highways
14 and in population centers.

15 (5) the amount of \$50,000.00 to the Mount Ascutney Regional Planning
16 Commission to hire a consultant to conduct facilitate community discussions
17 on the use of the former Southeast State Correctional Facility property in
18 Windsor to enable work, education, and health monitoring, to create base
19 maps, and legal analysis.

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

4 * * *

5 (4) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec.
6 2(b)(5) (major maintenance): \$35,475.94
7 (5) of the amount appropriated in 2015 Acts and Resolves No. 26,
8 Sec. 2(c)(11) (Southern State Correctional Facility, copper waterline
9 replacement): \$82,851.42
10 (6) of the amount appropriated in 2016 Acts and Resolves No. 160,
11 Sec. 2(c)(15) (Southern State Correctional Facility, steam line replacement):
12 \$147,068.63
13 (7) of the amount appropriated in 2016 Acts and Resolves No. 160,
14 Sec. 2(c)(16) (Statewide, ADA projects, State-owned buildings and
15 courthouses): \$52,460.30
16 (8) of the amount appropriated in 2016 Acts and Resolves No. 160,
17 Sec. 2(c)(19) (Waterbury State Office Complex project, true up): \$11,016.00
18 (9) of the amount appropriated in 2016 Acts and Resolves No. 160,
19 Sec. 13(c)(2) (Westminster, DPS Facility, project cost adjustment for
20 unanticipated site conditions and code modifications): \$4,522.99

1	<u>demolition of Stanley Hall, and programming, schematic design, and design</u>	
2	<u>development for Wasson Hall):</u>	<u>\$265,247.20</u>
3	<u>(18) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
4	<u>Sec. 6(a)(9) (E-911 compliance grants):</u>	<u>\$39,156.48</u>
5	<u>(19) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
6	<u>Sec. 11(e)(1)(B) (phosphorous removal equipment):</u>	<u>\$58,890.00</u>
7	<u>(20) of the amount appropriated in 2018 Acts and Resolves No. 190,</u>	
8	<u>Sec. 16(c)(a) (NEK fiber network):</u>	<u>\$209,219.00</u>
9	<u>(21) of the amount appropriated in 2019 Acts and Resolves No. 139,</u>	
10	<u>Sec. 3(c)(5) (Windsor and St. Johnsbury, site preparation, relocation and</u>	
11	<u>rebuild of a greenhouse at the Caledonia County Workcamp from the former</u>	
12	<u>Southeast State Correctional Facility):</u>	<u>\$162,872.00</u>
13	<u>(22) of the amount appropriated in 2020 Acts and Resolves No. 42,</u>	
14	<u>Sec. 2(b)(6) (120 State Street):</u>	<u>\$800,000.00</u>
15	<u>(23) of the amount appropriated in 2020 Acts and Resolves No. 42,</u>	
16	<u>Sec. 10(b)(2) rustic cabin construction):</u>	<u>\$775,409.25</u>
17	<u>(24) of the amount appropriated in 2020 Acts and Resolves No. 42,</u>	
18	<u>Sec. 17(a) (stand-alone digital public address system):</u>	<u>\$147,177.00</u>
19	<u>(25) of the amount appropriated in 2020 Acts and Resolves No. 42,</u>	
20	<u>Sec. 17(b) (stand-alone digital public address system):</u>	<u>\$174,888.00</u>
21	<u>* * *</u>	

1 **Total Reallocations and Transfers – Section 18** ~~\$4,198,694.44~~ \$7,537,399.00

2 Sec. 15. 2021 Acts and Resolves No. 50, Sec. 19 is amended to read:

3 Sec. 19. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

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

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

13 (b) The State Treasurer is authorized to issue additional general obligation
14 bonds in the amount of \$16,740,163.00 that were previously appropriated but
15 unissued under 2021 Acts and Resolves No. 50 for the purpose of funding the
16 appropriations in this act.

17 Total Revenues – Section 19 ~~\$123,180,000.00~~ \$140,540,163

18 Sec. 16. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
19 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,
20 Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves
21 No. 190, Sec. 18, 2019 Acts and Resolves No. 42, Sec. 25, 2020 Acts and

1 Resolves No. 139, Sec. 19, and 2021 Acts and Resolves No. 50, Sec. 24, is
2 further amended to read:

3 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
4 2023 June 30, 2022.

5 Sec. 17. 2021 Acts and Resolves No. 50, Sec. 21a is amended to read:

6 Sec. 21a. ~~13 BALDWIN STREET; SALE OF PROPERTY~~ PROPERTIES

7 (a) The Commissioner of Buildings and General Services is authorized to
8 sell the ~~property~~ properties located at 13 ~~and 14-16~~ Baldwin Street in
9 Montpelier, Vermont, pursuant to the requirements of 29 V.S.A. § 166. The
10 proceeds from the sale sales of 13 and 14-16 Baldwin Streets shall be
11 appropriated to future capital construction projects.

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

13 Sec. 25b. REDUCING CARBON INTENSITY; STATE BUILDINGS;
14 STATE ENERGY MANAGEMENT PROGRAM; INTENT

15 (a) It is the intent of the General Assembly that the Department of
16 Buildings and General Services implement strategies as soon as practicable to
17 reduce carbon intensity in buildings under the jurisdiction of the Department.

18 These strategies may include the use of:

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

