

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 2021 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 * * * Capital Appropriations * * *

9 Sec. 1. 2019 Acts and Resolves No. 42, Sec. 2 is amended to read:

10 Sec. 2. STATE BUILDINGS

11 * * *

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

13 * * *

14 (7) Montpelier, State House, new drapes and carpeting or carpeting

15 repair in the Governor’s ceremonial office and the vestibule near the

16 Governor’s ceremonial office, the Hall of Flags, the Cedar Creek Room, the

17 Senate Secretary’s Office, and the carpeting or carpeting repair in the Card

18 Room: \$45,000.00

19 * * *

1 (c) The following sums are appropriated in FY 2021:

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

3 \$7,500,000.00 \$7,000,000.00

4 (6) Montpelier, State House, ~~historical restorations~~ new drapes and
5 carpeting or carpeting repair in the Governor’s ceremonial office or in the
6 vestibule near the Governor’s ceremonial office, the Hall of Flags, Senate
7 Secretary’s Office, and carpeting or carpeting repair in the Card Room:

8 \$75,000.00

9 * * *

10 (11) Montpelier, State House, HVAC, planning and design to address air
11 quality and mold issues: \$500,000.00

12 (12) Newport, Orleans County Courthouse, replacement, site acquisition,
13 planning, and design for a stand-alone courthouse with no retail space:
14 \$1,500,000.00

15 (13) Windsor, costs to renovate space at the former Southeast State
16 Correctional Facility associated with the relocation of the Department of Fish
17 and Wildlife and the Department of Forests, Parks and Recreation from the
18 Springfield State Office Building: \$700,000.00

19 (14) Statewide, installation of electric vehicle charging facilities in
20 State-owned parking lots under the jurisdiction of the Department of Buildings
21 and General Services: \$75,000.00

1	Appropriation – FY 2020		\$20,323,423.00
2	Appropriation – FY 2021	\$21,325,813.00	<u>\$23,657,813.00</u>
3	Total Appropriation – Section 2	\$41,649,236.00	<u>\$43,981,236.00</u>

4 Sec. 2. 2019 Acts and Resolves No. 42, Sec. 3 is amended to read:

5 Sec. 3. HUMAN SERVICES

6 * * *

7 (c) The following sums are appropriated in FY 2021 to the Department of
8 Buildings and General Services for the Agency of Human Services for the
9 following projects described in this subsection:

10 * * *

11 (4) Brattleboro, Brattleboro Retreat, level 1 bed project construction:

12 \$1,500,000.00

13 (5) Windsor and St. Johnsbury, site preparation, relocation and rebuild
14 of a greenhouse at the Caledonia County Workcamp from the former Southeast
15 State Correctional Facility, with the use of inmate labor for the rebuild of the
16 greenhouse, where appropriate:

\$200,000.00

17 * * *

18 (d) The sum of ~~\$3,900,000.00~~ \$4,500,000.00 is appropriated in FY 2021 to
19 the Agency of Human Services for the Department of Vermont Health Access,
20 Integrated Eligibility and Enrollment system.

21 * * *

1 Sec. 5. 2019 Acts and Resolves No. 42, Sec. 9 is amended to read:

2 Sec. 9. VERMONT STATE COLLEGES

3 (a) The sum of \$2,100,000.00 is appropriated in FY 2020 to the Vermont
4 State Colleges for construction, renovation, and major maintenance at any
5 facility owned or operated in the State by the Vermont State Colleges.

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

8 * * *

9 Sec. 6. 2019 Acts and Resolves No. 42, Sec. 10 is amended to read:

10 Sec. 10. NATURAL RESOURCES

11 * * *

12 (f) The following sums are appropriated in FY 2021 to the Agency of
13 Natural Resources for the Department of Environmental Conservation for the
14 projects described in this subsection:

15 * * *

16 (2) Dam safety and hydrology projects: ~~\$895,000.00~~ \$916,138.00

17 (3) Engineering and construction grants related to improvements for

18 public water systems with confirmed concentrations of PFAS exceeding

19 20 nanograms per liter and on a do-not-drink notice: \$550,000.00

20 * * *

1	Appropriation – FY 2020	\$12,100,000.00
2	Appropriation – FY 2021	\$13,900,000.00
3	Total Appropriation – Section 11	\$26,000,000.00

4 Sec. 8. 2019 Acts and Resolves No. 42, Sec. 12 is amended to read:

5 Sec. 12. MILITARY

6 (a) The sum of \$700,000.00 is appropriated in FY 2020 to the Department
7 of Military for maintenance and renovations at State armories. To the extent
8 feasible, these funds shall be used to match federal funds.

9 (b) The sum of ~~\$800,000.00~~ \$1,420,000.00 is appropriated in FY 2021 to
10 the Department of Military for the projects described in subsection (a) of this
11 section.

12	Appropriation – FY 2020	\$700,000.00
13	Appropriation – FY 2021	\$800,000.00 <u>\$1,420,000.00</u>
14	Total Appropriation – Section 12	\$1,500,000.00 <u>\$2,120,000.00</u>

15 Sec. 9. 2019 Acts and Resolves No. 42, Sec. 13 is amended to read:

16 Sec. 13. PUBLIC SAFETY

17 * * *

18 (d) The sum of \$2,000,000.00 is appropriated in FY 2021 to the
19 Department of Buildings and General Services for renovation costs associated
20 with the relocation of a replacement for the Middlesex Field Station to the
21 former Department of Libraries building in Berlin.

1	Appropriation – FY 2020	\$2,200,000.00
2	Appropriation – FY 2021	\$5,400,000.00 <u>\$7,400,000.00</u>
3	Appropriation – Section 13	\$7,600,000.00 <u>\$9,600,000.00</u>

4 Sec. 10. 2019 Acts and Resolves No. 42, Sec. 14 is amended to read:

5 Sec. 14. AGRICULTURE, FOOD AND MARKETS

6 * * *

7 (c) The sum of ~~\$200,000.00~~ \$280,000.00 is appropriated in FY 2021 to the
8 Department of Buildings and General Services for the Agency of Agriculture,
9 Food and Markets for major maintenance at the Vermont building of the
10 Eastern States Exposition.

11	Appropriation – FY 2020	\$300,000.00
12	Appropriation – FY 2021	\$200,000.00 <u>\$280,000.00</u>
13	Total Appropriation – Section 14	\$500,000.00 <u>\$580,000.00</u>

14 Sec. 11. 2019 Acts and Resolves No. 42, Sec. 18 is amended to read:

15 Sec. 18. VERMONT HOUSING AND CONSERVATION BOARD

16 (a) The sum of \$1,800,000.00 is appropriated in FY 2020 to the Vermont
17 Housing and Conservation Board for housing projects.

18 (b) The sum of ~~\$1,800,000.00~~ \$3,800,000.00 is appropriated in FY 2021 to
19 the Vermont Housing and Conservation Board for ~~the project described in~~
20 ~~subsection (a) of this section~~ housing and conservation projects.

21	Appropriation – FY 2020	\$1,800,000.00
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1 Appropriation – FY 2021 \$1,800,000.00 \$3,800,000.00
2 Total Appropriation – Section 18 \$3,600,000.00 \$5,600,000.00

3 Sec. 12. AGENCY OF TRANSPORTATION

4 (a) The sum of \$50,000.00 is appropriated in FY 2020 to the Agency of
5 Transportation for the Lamoille Valley Rail Trail.

6 (b) The following sums are appropriated in FY 2021 to the Agency of
7 Transportation for the following projects:

8 (1) Lamoille Valley Rail Trail: \$2,100,000.00

9 (2) Electric Vehicle Equipment (EVSE) Grant Program: \$750,000.00

10 (c) For the amount appropriated in subdivision (b)(1) of this section, if
11 matching federal funds are not available or if federal funds do not require a
12 state match, the funds shall be used for projects in a future capital construction
13 act.

14 (d) On or before January 15, 2021, the Commissioner of Forests, Parks and
15 Recreation, in consultation with the Secretary of Administration, shall develop
16 and submit a plan to the House Committee on Corrections and Institutions and
17 the Senate Committee on Institutions on whether the Lamoille Valley Rail
18 Trail may be developed into a linear State park.

19 (e) The Secretary of Transportation and the Commissioner of Forests,
20 Parks and Recreation shall develop a memorandum of understanding (MOU)
21 regarding the ongoing maintenance of the Lamoille Valley Rail Trail. On or

1 before January 15, 2021, and prior to execution, the Secretary and
2 Commissioner shall report back to the House Committee on Corrections and
3 Institutions and the Senate Committee on Institutions with a draft of the MOU
4 and an implementation plan for the MOU.

5 <u>Appropriation – FY 2020</u>	<u>\$50,000.00</u>
6 <u>Appropriation – FY 2021</u>	<u>\$2,850,000.00</u>
7 <u>Total Appropriation – Section 12</u>	<u>\$2,900,000.00</u>

8 * * * Financing this Act * * *

9 Sec. 13. 2019 Acts and Resolves No. 42, Sec. 20 is amended to read:

10 Sec. 20. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

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

14 (1) of the amount appropriated in ~~2017~~ 2016 Acts and Resolves

15 No. 160, Sec. 13(c) (Waterbury State Office Complex): \$33,404.00

16 (2) of the amount appropriated in ~~2017~~ 2016 Acts and Resolves

17 No. 160, Sec. 5(d)(2) (Barre courthouse study): \$10,076.40

18 (3) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.

19 2(b)(11) (109 and 111 State Street, final design and construction): \$104,244.77

20 (4) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.

21 2(c)(10) (109 and 111 State Street, final design and construction): \$395,755.23

1 (e) Of the amount appropriated in 2018 Acts and Resolves No. 190,
2 Sec. 3(b)(3) (Essex, Woodside Juvenile Rehabilitation Center, design and
3 construction documents) to the Agency of Human Services, the amount of
4 \$499,139.00 in unexpended funds is reallocated to defray expenditures
5 authorized in this act.

6 (f) Of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 9(d)
7 (Montpelier Flood Control) to the Agency of Natural Resources, the amount of
8 \$21,137.83 in unexpended funds is reallocated to defray expenditures
9 authorized in this act.

10 (g) Of the amount appropriated in 2015 Acts and Resolves No. 26, Sec. 16
11 (electronic medical records) to the Vermont Veterans’ Home, the amount of
12 \$497,483.00 in unexpended funds is reallocated to defray expenditures in this
13 act.

14 (h) Of the amount appropriated in 2012 Acts and Resolves No. 104, Sec. 8,
15 amending 2011 Acts and Resolves No. 40, Sec. 12 (Vermont Drinking Water
16 Revolving Loan Fund), the amount of \$130,000.00 in unexpended funds is
17 reallocated to defray expenditures in this act.

18 (i) Of the amount appropriated in 2016 Acts and Resolves No. 160, Sec. 15
19 (State House security), the amount of \$94.67 in unexpended funds is
20 reallocated to defray expenditures in this act.

21 Total Reallocations and Transfers – Section 20 \$1,375,341.06 \$1,647,854.50

1 maintenance and planning for the purpose described in subsection (a) of this
2 section.

3 Sec. 18. 29 V.S.A. § 166 is amended to read:

4 § 166. SELLING OR RENTING STATE PROPERTY

5 * * *

6 (b) Upon authorization by the General Assembly, which may be granted by
7 resolution, and with the advice and consent of the Governor, the Commissioner
8 of Buildings and General Services may sell real estate owned by the State.
9 Such property shall be sold to the highest bidder therefor at public auction or
10 upon sealed bids in the discretion of the Commissioner of Buildings and
11 General Services, who may reject any or all bids. Notice of the sale or a
12 request for sealed bids shall be posted in at least three public places in the town
13 where the property is located and also published three times in a newspaper
14 having a known circulation in the town, the last publication to be not less than
15 10 days before the date of sale or opening of the bids. Failing to consummate a
16 sale under the method prescribed in this section, the Commissioner of
17 Buildings and General Services is authorized to list the sale of this property
18 with a real estate agent licensed by the State of Vermont. This subsection shall
19 not apply to ~~exchanges of lands~~ the sale, conveyance, exchange, or lease of
20 lands or interests in lands; to the amendment of deeds, leases, and easements;
21 or to sales of timber made in accordance with the provisions of 10 V.S.A.

1 ~~chapter 55 or to the sale of land or interests in land made in accordance with~~
2 155 or the provisions of 10 V.S.A. chapter 83.

3 * * *

4 Sec. 19. 2013 Acts and Resolves No. 1, Sec. 100(c), as amended by 2014 Acts
5 and Resolves No. 179, Sec. E.113.1, 2015 Acts and Resolves No. 58,
6 Sec. E.113.1, 2017 Acts and Resolves No. 84, Sec. 29, 2018 Acts and Resolves
7 No. 190, Sec. 18, and 2019 Acts and Resolves No. 42, Sec. 25, is further
8 amended to read:

9 (c) Sec. 97 (general obligation debt financing) shall take effect on ~~July 1,~~
10 2020 July 1, 2021.

11 Sec. 20. NAMING OF BALDWIN STREET; MONTPELIER

12 Due to the COVID-19 pandemic, the General Assembly was unable to work
13 with the City of Montpelier to rename Baldwin Street in honor of Governor
14 Philip Hoff. During the 2021 legislative session, it is the intent of the General
15 Assembly to address renaming Baldwin Street in Montpelier in his honor.

16 Sec. 21. OFFICE RELOCATION; LEGISLATIVE STAFF

17 Notwithstanding 29 V.S.A. § 165, the Commissioner of Buildings and
18 General Services shall require approval from the Joint Legislative Management
19 Committee for any proposals to relocate space used by the Legislative Branch.
20 The Joint Legislative Management Committee shall consult with the Chair of

1 the House Committee on Corrections and Institutions and the Chair of the
2 Senate Committee on Institutions prior to granting approval.

3 * * * Corrections * * *

4 **Sec. 22. WOMEN’S REENTRY DATA; DEPARTMENT OF**
5 **CORRECTIONS; REPORT**

6 (a) The Department of Corrections shall develop a the bed-count capacity
7 estimate and a programming framework for a potential new Women’s Reentry
8 Center to be managed by the Department of Corrections. The estimate and
9 programming framework shall incorporate the related findings, analysis, and
10 recommendation of the Council of State Governments’ publication on Justice
11 Reinvestment II in Vermont.

12 (b) On or before October 15, 2020, the Department of Corrections shall
13 provide a draft report of the work described in subsection (a) of this section to
14 the Joint Legislative Justice Oversight Committee, the House Committee on
15 Corrections and Institutions, and the Senate Committee on Judiciary outlining
16 progress and identifying hinderances to the completion of the final report. On
17 or before December 15, 2020, shall submit a final report to the Joint
18 Legislative Justice Oversight Committee, the House Committee on Corrections
19 and Institutions, and the Senate Committee on Judiciary.

20 * * * COVID-19 Emergency * * *

21 **Sec. 23. COVID-19 EMERGENCY RESPONSE; REALLOCATIONS**

1 existing VW EVSE Grant Program that the Department of Housing and
2 Community Development has been administering on behalf of the Department
3 of Environmental Conservation.

4 (b) The Agency is authorized to spend up to \$750,000.00, as appropriated
5 in Sec. 12 of this act, on the Program established in this section in fiscal
6 year 2021. This funding shall initially be used to support grants for the
7 construction and operation of direct current (DC) fast-charging stations
8 strategically located to fill gaps in the State’s highway corridor fast-charging
9 network. Any remaining funds may be used to support strategically located
10 level 2 workplace charging.

11 (c) Grant recipients shall disclose a fee schedule to the Department of
12 Housing and Community Development demonstrating a required user fee for
13 electric vehicle charging that accounts for expenses associated with the
14 equipment, including but not limited to electricity costs.

15 (d) The Department of Housing and Community Development shall consult
16 with an interagency team consisting of the Commissioner of Housing and
17 Community Development or designee, the Commissioner of Environmental
18 Conservation or designee, the Commissioner of Health or designee, the
19 Commissioner of Public Service or designee, and the Agency’s Division
20 Director of Policy, Planning, and Intermodal Development or designee on all
21 major decisions regarding the administration of this Program.

1 Sec. 26. ELECTRIC VEHICLE CHARGING STATIONS; DEPARTMENT
2 OF BUILDINGS AND GENERAL SERVICES; FEE

3 Pursuant to 32 V.S.A. § 604, the Department of Buildings and General
4 Services shall charge a fee for consumption of power associated with electric
5 vehicle supply equipment under the jurisdiction of the Department of
6 Buildings and General Services when the electric vehicle supply equipment is
7 available to the public and capable of charging a fee.

8 * * * Human Services * * *

9 Sec. 27. BRATTLEBORO RETREAT

10 (a) For the amount appropriated in Sec. 2 of this act, amending 2019 Acts
11 and Resolves No. 42, Sec. 3(c)(4), the Brattleboro Retreat must comply with
12 the following provisions:

13 (1) The Retreat shall deliver to the Agency of Human Services monthly
14 reports covering financial performance upon passage of this bill. All financial
15 reports shall be delivered by the end of the month for the previous month's
16 fiscal performance period. Financial reports shall include the following:

17 (A) income statement, with narrative;

18 (B) balance sheet, with narrative;

19 (C) cash flow statement, with narrative;

20 (D) accounts payable update and summary, with narrative;

21 (E) accounts receivable update and summary, with narrative, and

1 (F) copy of the standard monthly financial package that is provided
2 to the Finance Committee of the Board of Trustees.

3 (2) The Retreat shall follow best practices outlined in the March 2020
4 Best Practices Memorandum and ensure compliance with Medicaid billing
5 practices and provider enrollment.

6 (3) The Retreat shall keep the Agency advised of any event or
7 occurrence that materially impacts its financial stability, performance, staffing
8 service delivery capacity, or viability.

9 (4) The Retreat shall provide information to the Department of Mental
10 Health necessary for its statutory oversight responsibilities.

11 (5) The Retreat shall work with the Department of Mental Health to
12 develop an initial strategic plan for the long-term reuse of the renovated
13 facilities to meet future system of care needs.

14 (6) The Retreat shall provide access to the 12 level-1 beds to the State
15 for a period determined by the Secretary of Human Services to be in the best
16 interests of the State.

17 (7) The Retreat shall adhere to the terms and conditions of the contract
18 of the operation of the 12 level-1 beds with the Department of Mental Health.

19 (b) The Brattleboro Retreat, the Agency of Human Services, and the
20 Department of Buildings and General Services shall provide a report at the

1 July and September Joint Fiscal Committee meetings that includes the
2 following information:

3 (1) the Retreat financial reports, including income statement, balance
4 sheet, and cash flow projections;

5 (2) the status of the 12 level-1 beds, including anticipated opening date
6 and cost estimates to complete;

7 (3) an update on the development of a long-term strategic plan that
8 analyzes current and future needs of the service delivery priorities and role of
9 the Retreat in Vermont’s mental health system of care; and

10 (4) an update on the strategic plan for the long-term reuse of the
11 renovated facility to meet future system of care needs

12 * * * Effective Date * * *

13 Sec. 28. EFFECTIVE DATE

14 This act shall take effect on passage.