

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 FY
5 2024 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. 2023 Acts and Resolves No. 69, Sec. 1 is amended to read:

9 * * * Legislative Intent * * *

10 Sec. 1. LEGISLATIVE INTENT

11 (a) It is the intent of the General Assembly that of the ~~\$122,767,376.00~~
12 \$XXX,XXX,XXX.XX authorized in this act, not more than ~~\$56,520,325.00~~
13 \$XX,XXX,XXX.XX shall be appropriated in the first year of the biennium,
14 and the remainder shall be appropriated in the second year.

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

1 Sec. 3. 2023 Acts and Resolves No. 69, Sec. 3 is amended to read:

2 Sec. 3. HUMAN SERVICES

3 * * *

4 (b) The following sums are appropriated in FY 2025 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) Northwest State Correctional Facility, booking expansion, planning,
8 design, and construction: ~~\$2,500,000.00~~ \$2,000,000.00

9 * * *

10 (3) Statewide, correctional facilities, HVAC systems, planning, design,
11 and construction for upgrades and replacements:
12 ~~\$700,000.00~~ \$4,600,000.00

13 (4) Statewide, correctional facilities, accessibility upgrades:
14 \$822,000.00

15 * * *

16	Appropriation – FY 2024	\$1,800,000.00
17	Appropriation – FY 2025	\$16,200,000.00 <u>\$20,422,000.00</u>
18	Total Appropriation – Section 3	\$18,000,000.00 <u>\$22,222,000.00</u>

19 Sec. 4. 2023 Acts and Resolves No. 69, Sec. 4 is amended to read:

20 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

21 * * *

1 (b) The following sums are appropriated in FY 2025 to the Agency of
2 Commerce and Community Development for the following projects described
3 in this subsection:

4 (1) Major maintenance at statewide historic sites:

5		\$500,000.00	<u>\$700,000.00</u>
6		* * *	
7	Appropriation – FY 2024		\$596,000.00
8	Appropriation – FY 2025	\$596,000.00	<u>\$796,000.00</u>
9	Total Appropriation – Section 4	\$1,192,000.00	<u>\$1,392,000.00</u>

10 Sec. 5. 2023 Acts and Resolves No. 69, Sec. 10 is amended to read:

11 Sec. 10. CLEAN WATER INITIATIVES

12 * * *

13 (e) The sum of ~~\$6,000,000.00~~ \$550,000.00 is appropriated in FY 2025 to
14 the Agency of ~~Natural Resources for the Department of Environmental~~
15 ~~Conservation~~ Agriculture, Food and Markets for ~~clean water implementation~~
16 ~~projects~~ water quality grants and contracts.

17 (f) On or before December 1, 2023:

18 (1) The Clean Water Board shall review and recommend Clean Water
19 Act implementation programs funded from subsection (e) of this section.

20 (2) The Board shall submit a report with the list of programs
21 recommended for FY 2025 to the Chairs of the House Committee on

1 Corrections and Institutions and the Senate Committee on Institutions and to
2 the Governor for the FY 2024 capital budget adjustment report. The report
3 shall include a recommendation on whether there are any other funding sources
4 that may be used for municipal pollution control grants in FY 2025.

5 (g) The following sums are appropriated in FY 2025 to the Agency of
6 Natural Resources for the following projects:

7 (1) the Clean Water State/EPA Revolving Loan Fund (CWSRF) match
8 for the Water Pollution Control Fund: \$1,600,000.00

9 (2) municipal pollution control grants: \$3,300,000.00

10 (h) The sum of \$550,000.00 is appropriated in FY 2025 to the Agency of
11 Natural Resources for the Department of Forests, Parks and Recreation for
12 forestry access roads, recreation access roads, and water quality improvements.

13 (i) In FY 2024 and FY 2025, any agency that receives funding from this
14 section shall consult with the State Treasurer to ensure that the projects are
15 capital eligible.

16 Appropriation – FY 2024 \$9,885,000.00

17 Appropriation – FY 2025 \$6,000,000.00

18 Total Appropriation – Section 10 \$15,885,000.00

1 Sec. 6. 2023 Acts and Resolves No. 69, Sec. 15a is added to read:

2 Sec. 15a. DEPARTMENT OF LABOR

3 The sum of \$1,540,000.00 is appropriated in FY 2025 to the Department of
4 Buildings and General Services for the Department of Labor for upgrades of
5 mechanical systems and HVAC, life safety needs, and minor interior
6 renovations at 5 Green Mountain Drive in Montpelier.

7 * * * Funding * * *

8 Sec. 7. 2023 Acts and Resolves No. 69, Sec. 16 is amended to read:

9 Sec. 16. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

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

13 (1) of the amount appropriated in 2012 Acts and Resolves No. 40, Sec.

14 ~~19(a) 2(b) (Veterans' Home, replace nurse call system~~ BGS – various

15 projects): \$14,668.72 \$21,876.90

16 (2) of the amount appropriated 2012 Acts and Resolves No. 40, Sec.

17 ~~19(b) (Veterans' Home kitchen upgrade):~~ \$13,522.98 \$23,129.47

18 * * *

19 (5) of the amount appropriated in 2015 Acts and Resolves No. 26, Sec.

20 2(b) (various projects): \$65,463.17 \$147,206.37

21 * * *

1 (7) of the amount appropriated in 2016 Acts and Resolves No. 160,
2 Sec. 1(c)(5) (major maintenance): ~~\$93,549.00~~ \$116,671.15

3 * * *

4 (9) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
5 2(b)(13) (108 Cherry Street, parking garage):
6 ~~\$1,736,256.55~~ \$1,774,782.00

7 (10) of the amount appropriated in 2017 Acts and Resolves No. 84,
8 Sec. 2(c) (various projects): ~~\$24,363.06~~ \$476,725.66

9 * * *

10 (13) of the amount appropriated in 2019 Acts and Resolves No. 42,
11 Sec. 2(b)(3) (major maintenance): ~~\$32,780.00~~ \$439,889.66

12 * * *

13 (17) of the amount appropriated in 2019 Acts and Resolves No. 42,
14 Sec. 2(b)(1) (Statewide, BGS engineering and architectural project costs):
15 \$26,951.52

16 (18) of the amount appropriated in 2017 Acts and Resolves No. 84,
17 Sec. 11(b)(4) (municipal pollution control grants, pollution control projects
18 and planning advances for feasibility studies, new projects):
19 \$4,498.17

20 (19) of the amount appropriated in 2017 Acts and Resolves No. 84,
21 Sec. 11(f)(2) (EcoSystem restoration and protection): \$4,298.22

1 (b) The State Treasurer is authorized to issue additional general obligation
2 bonds in the amount of \$5,247,838.90 that were previously appropriated but
3 unissued under 2023 Acts and Resolves No. 69 for the purposes of funding the
4 appropriations in this act.

5 Total Revenues – Section 17 ~~\$108,000,000.00~~ \$130,228,942.00

6 Sec. 9. 2023 Acts and Resolves No. 69, Sec. 18 is amended to read:

7 Sec. 18. FY 2024 AND 2025; CAPITAL PROJECTS; FY 2024

8 APPROPRIATIONS ACT; INTENT; AUTHORIZATIONS

9 * * *

10 (c) Authorizations. In FY 2024, spending authority for the following
11 capital projects are authorized as follows:

12 * * *

13 ~~(7) the Department of Buildings and General Services is authorized to~~
14 ~~spend \$600,000.00 for planning for the boiler replacement at the Northern~~
15 ~~State Correctional Facility in Newport; [Repealed.]~~

16 * * *

17 (10) the Department of Buildings and General Services is authorized to
18 spend ~~\$1,000,000.00~~ \$750,000.00 for the Agency of Human Services for the
19 planning and design of the Department for Children and Families’ short-term
20 stabilization facility;

1 (11) the Department of Buildings and General Services is authorized to
2 spend \$750,000.00 for the Judiciary for renovations and land acquisition at the
3 Washington County Superior Courthouse in Barre;

4 * * *

5 (d) FY 2025 capital projects. To the extent general funds are available to
6 appropriate to the Fund established in 32 V.S.A. § 1001b in FY 2025, it is the
7 intent of the General Assembly that the following capital projects receive
8 funding from the Fund:

9 (1) ~~the sum of \$250,000.00 to the Department of Buildings and General~~
10 ~~Services for planning, reuse, and contingency; [Repealed.]~~

11 * * *

12 (4) the sum of ~~\$1,000,000.00~~ \$850,000.00 to the Department of
13 Buildings and General Services for the Judiciary for renovations and land
14 acquisition at the Washington County Superior Courthouse in Barre;

15 (5) the sum of ~~\$1,000,000.00~~ \$850,000.00 to the Department of
16 Buildings and General Services for the Department of Public Safety for the
17 planning and design of the Special Teams Facility and Storage;

18 (6) the sum of ~~\$1,000,000.00~~ \$850,000.00 to the Department of
19 Buildings and General Services for the Department of Public Safety for the
20 planning and design of the Rutland Field Station;

1 (7) the sum of \$1,500,000.00 to the Vermont Veterans’ Home for design
2 for the renovation of the Brandon and Cardinal units;

3 (8) ~~the sum of \$500,000.00 to the Department of Buildings and General~~
4 ~~Services for the Newport courthouse replacement, planning, and design;~~

5 [Repealed.]

6 (9) the sum of \$250,000.00 to the Department of Buildings and General
7 Services for planning for the 133-109 State Street tunnel waterproofing and
8 Aiken Avenue reconstruction; ~~and~~

9 (10) the sum of \$200,000.00 to the Department of Buildings and
10 General Services for the renovation of the stack area, HVAC upgrades, and the
11 elevator replacement at 111 State Street;

12 (11) the sum of \$1,000,000.00 to the Department of Buildings and
13 General Services for roof replacement and brick façade repairs at the
14 McFarland State Office Building in Barre; and

15 (12) the sum of \$550,000.00 to the Department of Buildings and
16 General Services for the Agency of Human Services for statewide, correctional
17 facilities, HVAC systems, planning, design, and construction for upgrades and
18 replacements.

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* * * Policy * * *

* * * Agency of Natural Resources * * *

Sec. 10. 10 V.S.A. § 2603 is amended to read:

§ 2603. POWERS AND DUTIES: COMMISSIONER

* * *

~~(g) The Commissioner shall consult with and receive approval from the Commissioner of Buildings and General Services concerning proposed construction or renovation of individual projects involving capital improvements which are expected, either in phases or in total, to cost more than \$200,000.00. The Department of Environmental Conservation shall manage all contracts for engineering services for capital improvements made by the Department of Forests, Parks and Recreation. The Department of Environmental Conservation Facilities Engineering Section:~~

(1) may execute and consult on design for the Department of Forests, Parks and Recreation;

(2) shall provide professional engineering services for compliance with environmental operating permits; and

(3) shall be the custodian of all plans of record for work executed by the Department of Forests, Parks and Recreation, regardless of the source and designer of record.

* * *

1 Sec. 11. FISH HATCHERY FEASIBILITY STUDY

2 On or before December 15, 2024, the Commissioner of Fish and Wildlife
3 shall report to the House Committee on Corrections and Institutions and the
4 Senate Committee on Institutions regarding the feasibility of continuing
5 operations at the Salisbury Fish Hatchery after December 31, 2027 and of
6 transferring the stocking capacity of the Salisbury Fish Hatchery to the Ed
7 Weed Fish Hatchery in Grand Isle. The report shall identify the repairs,
8 improvements, and other work necessary to enable the Salisbury Fish Hatchery
9 to obtain any permits necessary to continue operating after December 31, 2027
10 and shall provide a detailed analysis of the costs of performing the work and a
11 plan for accomplishing the work. The report shall also identify any repairs,
12 improvements, and other work necessary to enable the stocking capacity of the
13 Salisbury Fish Hatchery to be transferred to the Ed Weed Fish Hatchery and
14 shall provide a detailed analysis of the costs of performing the work and a plan
15 for accomplishing the work.

16 * * * Buildings and General Services * * *

17 Sec. 12. 2023 Acts and Resolves No. 69, Sec. 22 is amended to read:

18 Sec. 22. SALE OF PROPERTIES

19 * * *

20 (c) 108 Cherry Street. Notwithstanding 29 V.S.A. § 166(b), the
21 Commissioner of Buildings and General Services is authorized to sell the

1 property located at 108 Cherry Street in the City of Burlington. The
2 Commissioner shall first offer in writing to the City the right to purchase the
3 property.

4 * * *

5 (3) Notwithstanding 29 V.S.A. § 166(d) and 29 V.S.A. § 160, of the
6 proceeds received by the State for the sale of the property located at 108
7 Cherry Street in the City of Burlington, \$6,242,500.00 shall be deposited into
8 the Property Management Fund (58700) to recover the deficit incurred in the
9 fund as a result of the original purchase of the property and, notwithstanding
10 29 V.S.A. § 168(c), \$293,753.63 shall be deposited into the State Energy
11 Revolving Fund (59700) to repay debt outstanding for loans for energy
12 improvement projects on the property.

13 Sec. 13. SALE OF WILLISTON STATE POLICE BARRACKS; OPTIONS
14 FOR PURCHASE BY TOWN OF WILLISTON; REPORT

15 On or before December 15, 2024, the Commissioner of Buildings and
16 General Services shall report to the House Committee on Corrections and
17 Institutions and the Senate Committee on Institutions regarding potential
18 means of providing the Town of Williston with a preferential option to
19 purchase the Williston State Police Barracks while providing the maximum
20 financial return for the State relative to the value of the Williston State Police
21 Barracks if sold on the open market.

1 Sec. 14. 29 V.S.A. § 166 is amended to read:

2 § 166. SELLING OR RENTING STATE PROPERTY

3 * * *

4 (b)(1) Upon authorization by the General Assembly, which may be granted
5 by resolution, and with the advice and consent of the Governor, the
6 Commissioner of Buildings and General Services may sell real estate owned
7 by the State. ~~Such~~ The property shall be sold to the highest bidder ~~therefor~~ at
8 public auction or upon sealed bids in the discretion of the Commissioner of
9 Buildings and General Services, who may reject any or all bids, or the
10 Commissioner is authorized to list the sale of property with a real estate agent
11 licensed by the State. In no event shall the property be sold for less than fair
12 market value as determined by an independent appraiser retained by the
13 Commissioner, unless otherwise authorized by the General Assembly.

14 * * *

15 Sec. 15. FORMER SOUTHEAST STATE CORRECTIONAL FACILITY;

16 DOCUMENTATION; DEMOLITION

17 The Department of Buildings and General Services shall utilize the amounts
18 appropriated pursuant to 2021 Acts and Resolves No. 50, Sec. 2(c)(20) to
19 engage in historic documentation of the structures at the former Southeast State
20 Correctional Facility that are least likely to be repurposed for future use
21 followed by the environmental remediation, demolition, salvage, and

1 dismantling of those structures. The Commissioner of Buildings and General
2 Services may consider the adequacy of the amounts appropriated pursuant to
3 2021 Acts and Resolves No. 50, Sec. 2(c)(20) in determining which structures
4 to prioritize for documentation, environmental remediation, demolition,
5 salvage, and dismantling.

6 Sec. 16. 29 V.S.A. § 9 is added to read:

7 **§ 9. STATE BUILDING AND FACILITY NAMES COMMITTEE**

8 (a) Creation. The State Building and Facility Names Committee is created
9 within the Department of Buildings and General Services.

10 (b) Members. The Committee shall consist of the following members:

11 (1) the Commissioner of Buildings and General Services or designee;

12 (2) the Secretary of Commerce and Community Development or
13 designee;

14 (3) the State Historic Preservation Officer or designee;

15 (4) the Executive Director of the Vermont Historical Society or
16 designee;

17 (5) the State Librarian or designee

18 (6) the Executive Director of the Vermont League of Cities and Towns
19 or designee; and

20 (7) the Executive Director of the Office of Racial Equity or designee.

1 (c)(1) On or before January 15, 2025, the State Building and Facility
2 Names Committee shall report to the House Committee on Corrections and
3 Institutions and the Senate Committee on Institutions regarding the
4 Committee’s proposed procedures for naming State buildings and facilities that
5 are under the jurisdiction of the Department of Buildings and General Services.

6 (2) The report required pursuant to subdivision (1) of this subsection
7 shall include the following:

8 (A) methods by which to petition the Committee to name a State
9 building or facility after a specific person;

10 (B) any requirements for a historical nexus between the building or
11 facility proposed to be named and the person for whom it is proposed to be
12 named; and

13 (C) the process the Committee proposes to employ in considering a
14 petition to name a State building or facility, including requirements related to
15 public notice, conduct of hearings, and standards for rendering a decision on a
16 petition.

17 (3) In preparing the report, the Committee shall consult with the Board
18 of Libraries and the Transportation Board regarding the procedures and
19 standards employed by those bodies in naming geographic locations and
20 transportation facilities.

21 (4) The report may include recommendations for legislative action.

1 Sec. 17. FORENSIC FACILITY; NEEDS; REVIEW; REPORT

2 (a) The Department of Buildings and General Services, in consultation with
3 the Departments of Mental Health and of Disabilities, Aging, and Independent
4 Living, shall review of the programming needs and facility requirements of
5 Vermont’s forensics population. The review shall include an analysis of the
6 potential costs of any identified options for meeting the programming needs
7 and facility requirements.

8 (b) On or before January 15, 2025, the Commissioner of Buildings and
9 General Services shall report to the House Committee on Corrections and
10 Institutions and Senate Committee on Institutions regarding the findings of the
11 review conducted pursuant to subsection (a) of this section. The report may
12 include recommendations for legislative action.

13 Sec. 18. DEPARTMENT FOR CHILDREN AND FAMILIES YOUTH

14 SHORT-TERM STABILIZATION AND TREATMENT CENTER;

15 LONG-TERM LEASE; AUTHORIZATION

16 Notwithstanding any provisions of 29 V.S.A. § 165(h) or 29 V.S.A.
17 § 166(a) to the contrary, the Commissioner of Buildings and General Services
18 is authorized to enter into a long-term ground lease agreement at a below-
19 market rate for an initial term of not more than 20 years with not more than
20 four five-year renewal options for the Department for Children and Families
21 Youth Short Term Stabilization and Treatment Center.

1 (2) The Commissioner of Buildings and General Services shall provide
2 the Special Committee established pursuant to subsection (b) of this section
3 with a schematic design plan for the State House expansion on or before
4 _____.

5 (b) A Special Committee consisting of the Joint Legislative Management
6 Committee and the chairs of the House Committee on Corrections and
7 Institutions and the Senate Committee on Institutions is established. The
8 Special Committee is authorized to meet to review, approve, or recommend
9 alterations to the schematic design described in subsection (a) of this section at
10 a regularly scheduled Joint Legislative Management Committee meeting. In
11 making its decision, the Special Committee shall consider:

12 (1) how the design impacts the ability of the General Assembly to
13 conduct legislative business;

14 (2) allows for public access to citizens;

15 (3) the financial consequences to the State of approval or disapproval of
16 the proposal; and

17 (4) whether any potential alternatives are available.

18 (c) The Special Committee shall be entitled to per diem and expenses as
19 provided in 2 V.S.A. § 23.

* * * Corrections * * *

1
2 Sec. 22. REPLACEMENT WOMEN’S FACILITIES; SITE LOCATION;
3 AUTHORITY TO PURCHASE LAND; INTENT; REPORT

4 (a) Intent. It is the intent of the General Assembly that a reentry facility for
5 justice-involved women shall be located at a site that is near support services,
6 programming, and work opportunities needed to facilitate successful reentry
7 into the community.

8 (b) Contingent authority to purchase land. In the event that the
9 Commissioner of Buildings and General Services, in consultation with the
10 Commissioner of Corrections, is unable to identify appropriate site locations
11 for the replacement women’s facilities for justice-involved women, the
12 Commissioner is authorized to purchase land, provided that land purchased for
13 the reentry facility shall be located near support services, programming, and
14 work opportunities needed to facilitate successful reentry into the community.

15 (c) Monthly, beginning on July 15, 2024 and ending on January 15, 2025,
16 the Commissioner of Corrections shall report to the House Committee on
17 Corrections and Institutions and the Senate Committee on Institutions
18 regarding the progress in identifying State-owned property and, if necessary,
19 purchasing property on which to locate the replacement women’s facilities for
20 justice-involved women.

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* * * Judiciary * * *

Sec. 23. BARRE; WASHINGTON COUNTY SUPERIOR COURTHOUSE;
LAND ACQUISITION; AUTHORIZATION

The Commissioner of Buildings and General Services, in consultation with the Judiciary, is authorized to use the amounts appropriated in 2023 Acts and Resolves No. 69, Sec. 18(c)(11) and (d)(4) to purchase land needed to renovate or replace the Washington County Superior Courthouse.

Sec. 24. WHITE RIVER JUNCTION; WINDSOR COUNTY SUPERIOR
COURTHOUSE; TEMPORARY RELOCATION OF EMPLOYEES

It is the intent of the General Assembly that following completion of the renovations to the Windsor County Superior Courthouse in White River Junction, the offices of the Windsor County State’s Attorney shall be relocated to the leased office space at 55 Railroad Row that is being used as temporary office space for Courthouse employees during the renovation.

* * * Effective Date * * *

Sec. 25. EFFECTIVE DATE

This act shall take effect on passage.