

1 S.156

2 Introduced by Senators Vyhovsky, Gulick, Watson and White

3 Referred to Committee on

4 Date:

5 Subject: Public property; corrections; correctional facility; construction

6 Statement of purpose of bill as introduced: This bill proposes to place a  
7 moratorium on the study, design, acquisition, or construction of a new  
8 correctional facility, and the expansion of an existing correctional facility, in  
9 the State until July 1, 2028. This bill also proposes to end the period of  
10 suspension of State aid for school construction projects.

11 An act relating to education and corrections infrastructure in the State

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

13 \* \* \* Findings, Purpose, and Intent \* \* \*

14 Sec. 1. FINDINGS; PURPOSE; INTENT

15 (a) Findings. The General Assembly finds that:

16 (1) The social determinants of health affect public health and the social  
17 determinants of crime impact public safety, and these social determinants are  
18 intertwined.

19 (2) Education is an important social determinant of health and crime.



1           (2) expand the capacity of an existing correctional facility beyond its  
2           current design or rated capacity;

3           (3) convert any part of an existing or dormant correctional facility for  
4           the purpose of detention or incarceration, including to change or expand the  
5           populations incarcerated in that facility; or

6           (4) repair an existing or dormant correctional facility for the purposes of  
7           expanding the facility or increasing its bed capacity.

8           Sec. 3. CORRECTIONAL FACILITY; CONSTRUCTION, RENOVATION,  
9           OR EXPANSION; MORATORIUM; REPEAL

10           29 V.S.A. § 170a shall be repealed on July 1, 2028.

11                                   \* \* \* School Construction \* \* \*

12           Sec. 4. 2007 Acts and Resolves No. 52, Sec. 36 is amended to read:

13           Sec. 36. STATE AID FOR SCHOOL CONSTRUCTION; SUSPENSION

14           (a) The commissioner of education shall not accept, review, or act on any  
15           applications for state aid under chapter 123 of Title 16 submitted after  
16           March 7, 2007 unless, prior to March 7, 2007, the electorate voted funds or  
17           authorized bonds, and thereafter all periods for reconsideration of the vote  
18           have expired, except for those projects which are:

19                   (1) eligible to be assigned first priority under 16 V.S.A. § 3448(a)(3);

20                   (2) necessary to ensure the health and safety, as determined by the  
21           commissioner, of students and employees using the building; or

1 (3) school consolidation projects eligible for 50 percent aid under  
2 16 V.S.A. § 3448(a)(7)(C).

3 (b) It is the intent of the general assembly to use the time that state aid for  
4 school construction is suspended to review the recommendations of the  
5 commissioner of education and the commissioner of finance and management  
6 reported under Sec. 38 of this act and, based on those recommendations,  
7 develop a sustainable plan for state aid to school construction. If no plan is in  
8 place by July 1, 2008, the general assembly will extend the period of  
9 suspension until a plan is in place; provided, however, that any extension of the  
10 period of suspension shall end on or before June 30, 2023.

11 Sec. 5. 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts  
12 and Resolves No. 54, Sec. 22 is amended to read:

13 Sec. 45. CONTINUATION OF SUSPENSION OF STATE AID FOR  
14 SCHOOL CONSTRUCTION

15 (a) In Sec. 36 of No. 52 of the Acts of 2007, the general assembly  
16 suspended state aid for school construction in order to provide time to enable  
17 the commissioner of education and the commissioner of finance and  
18 management to make recommendations for a sustainable plan for state aid to  
19 school construction. In the absence of a viable plan for funding school  
20 construction, the general assembly hereby extends the period of suspension

1 until a plan is developed and adopted; provided, however, that the period of  
2 suspension shall end on or before June 30, 2023.

3 \* \* \*

4 Sec. 6. 2013 Acts and Resolves No. 51, Sec. 45 is amended to read:

5 Sec. 45. STATE AID FOR SCHOOL CONSTRUCTION; EXTENSION  
6 OF SUSPENSION

7 (a) In 2007 Acts and Resolves No. 52, Sec. 36, the General Assembly  
8 suspended state aid for school construction in order to permit the Secretary of  
9 Education and the Commissioner of Finance and Management to recommend a  
10 sustainable plan for state aid for school construction.

11 (b) In 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts  
12 and Resolves No. 54, Sec. 22, the General Assembly, in the absence of a  
13 recommendation, extended the suspension until a sustainable plan for state aid  
14 for school construction is developed and adopted.

15 (c) State aid remains suspended ~~pursuant to the terms of 2008 Acts and~~  
16 ~~Resolves No. 200, Sec. 45 as amended by 2009 Acts and Resolves No. 54,~~  
17 ~~Sec. 22~~ until on or before June 30, 2023.

18 \* \* \*

1       Sec. 7. STATE AID FOR SCHOOL CONSTRUCTION; END OF  
2                    SUSPENSION

3                Beginning in FY 2024, the Secretary of Education shall accept and review  
4       any applications for State aid pursuant to 16 V.S.A. chapter 123 submitted  
5       after March 7, 2024.

6                                   \* \* \* Effective Date \* \* \*

7       Sec. 8. EFFECTIVE DATE

8                This act shall take effect on July 1, 2023.