

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~~ \$20,422,000.00

18 Total Appropriation – Section 3 ~~\$18,000,000.00~~ \$22,222,000.00

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 (16) the Vermont State Colleges is authorized to spend ~~\$7,500,000.00~~
6 ~~\$6,500,000.00~~ for construction, renovation, and major maintenance at any
7 facility owned or operated in the State by the Vermont State Colleges;
8 infrastructure transformation planning; and the planning, design, and
9 construction of Green Hall and Vail Hall;

10 * * *

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

15 * * *

16 (3) the sum of ~~\$2,000,000.00~~ \$1,500,000.00 to the Department of
17 Buildings and General Services for the renovation of the interior HVAC steam
18 lines at 120 State Street in Montpelier;

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

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

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

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

9 (8) ~~the sum of \$500,000.00 to the Department of Buildings and General~~
10 ~~Services for the Newport courthouse replacement, planning, and design;~~
11 [Repealed.]

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

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

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

1 Prior to authorizing the sale of the Williston State Police Barracks, it is the
2 intent of the General Assembly to consider a report from the Town of Williston
3 in January 2025 regarding the potential for the Town to purchase the property
4 and, if the Town desires to purchase the property, the potential future uses of
5 the property envisioned by the Town.

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

7 § 166. SELLING OR RENTING STATE PROPERTY

8 * * *

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

20 * * *

21 Sec. 15. FORMER SOUTHEAST STATE CORRECTIONAL FACILITY;

1 DOCUMENTATION; DEMOLITION

2 The Department of Buildings and General Services shall utilize the amounts
3 appropriated pursuant to 2021 Acts and Resolves No. 50, Sec. 2(c)(20), as
4 added by 2022 Acts and Resolves, No. 180, Sec. 2, to engage in historic
5 documentation of the structures at the former Southeast State Correctional
6 Facility that are least likely to be repurposed for future use followed by the
7 environmental remediation, demolition, salvage, and dismantling of those
8 structures. The Commissioner of Buildings and General Services may
9 consider the adequacy of the amounts appropriated pursuant to 2021 Acts and
10 Resolves No. 50, Sec. 2(c)(20), as added by 2022 Acts and Resolves, No. 180,
11 Sec. 2, in determining which structures to prioritize for documentation,
12 environmental remediation, demolition, salvage, and dismantling.

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

14 § 9. STATE BUILDING AND FACILITY NAMES COMMITTEE

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

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

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

19 (2) the Secretary of Commerce and Community Development or
20 designee;

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

1 (4) the Executive Director of the Vermont Historical Society or
2 designee;

3 (5) the State Librarian or designee

4 (6) the Executive Director of the Vermont League of Cities and Towns
5 or designee; and

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

7 (c) **Report.**

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

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

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

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

20 (C) the process the Committee proposes to employ in considering a
21 petition to name a State building or facility, including requirements related to

1 public notice, conduct of hearings, and standards for rendering a decision on a
2 petition.

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

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

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

9 (a)(1) The Department of Buildings and General Services, in consultation
10 with the Departments of Mental Health and of Disabilities, Aging, and
11 Independent Living, shall review the programming needs and facility
12 requirements of individuals who:

13 (A) present significant risk of danger to self or others if not treated in
14 a secure setting; and

15 (B) are charged with a crime pursuant to 13 V.S.A. §§ 7553 and
16 7553a and either found not competent to stand trial due to mental illness or
17 intellectual disability or adjudicated not guilty by reason of insanity.

18 (2) The review shall include an analysis of the potential costs of any
19 identified options for meeting the programming needs and facility
20 requirements.

1 **(b) On or before January 15, 2025, the Commissioner of Buildings and**
2 **General Services shall report to the House Committees on Appropriations, on**
3 **Corrections and Institutions, on Health Care, and on Human Services and the**
4 **Senate Committees on Appropriations, on Health and Welfare, and on**
5 **Institutions regarding the findings of the review conducted pursuant to**
6 **subsection (a) of this section. The report may include recommendations for**
7 **legislative action.**

8 Sec. 18. DEPARTMENT FOR CHILDREN AND FAMILIES YOUTH

9 SHORT-TERM STABILIZATION AND TREATMENT CENTER;

10 LONG-TERM LEASE; AUTHORIZATION

11 Notwithstanding any provisions of 29 V.S.A. § 165(h) or 29 V.S.A.
12 § 166(a) to the contrary, the Commissioner of Buildings and General Services
13 is authorized to enter into a long-term ground lease agreement at a below-
14 market rate for an initial term of not more than 20 years with not more than
15 four five-year renewal options for the Department for Children and Families
16 Youth Short Term Stabilization and Treatment Center. At the end of the term
17 and any renewals, the ground lease shall terminate.

18 Sec. 19. CAPITOL COMPLEX FLOOD RECOVERY; SPECIAL

19 COMMITTEE

20 (a) The Special Committee on Capitol Complex Flood Recovery is
21 established. The Special Committee shall comprise the Joint Fiscal Committee

1 and the chairs of the House Committee on Corrections and Institutions and the
2 Senate Committee on Institutions.

3 (b) The Special Committee shall meet to review, approve, or recommend
4 alterations to the proposals and plans for Capitol Complex flood recovery at
5 the call of the chairs of the House Committee on Corrections and Institutions
6 and the Senate Committee on Institutions and the Joint Fiscal Committee.

7 (c) The Commissioner of Buildings and General Services shall provide
8 monthly updates to the Special Committee on the planning process for Capitol
9 Complex flood recovery.

10 (d) The Special Committee shall be entitled to per diem and expenses as
11 provided in 2 V.S.A. § 23.

12 Sec. 20. STATE HOUSE; EXPANSION; DESIGN; SPECIAL COMMITTEE

13 (a)(1) It is the intent of the General Assembly to approve the programming
14 option for a schematic design plan for the State House expansion as soon as
15 practicable to allow the Department of Buildings and General Services to begin
16 the design development phase of the expansion.

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

20 _____.

1 Secretary of Administration, when the unexpended project balance does not
2 exceed ~~\$100,000.00~~ \$200,000.00, or with the additional approval of the
3 Emergency Board when such balance exceeds ~~\$100,000.00~~ \$200,000.00.

4 * * *

5 (22) Use the contingency fund appropriation to cover shortfalls for any
6 project approved in any capital construction act; however, transfers from the
7 contingency in excess of ~~\$50,000.00~~ \$100,000.00 shall be done with the
8 approval of the Secretary of Administration.

9 * * *

10 (25) Transfer any unexpended project balances from previous capital
11 construction acts for the purpose of emergency projects not authorized in a
12 capital construction act in an amount not to exceed \$100,000.00, provided the
13 Commissioner shall send timely written notice of such expenditures to the
14 Chairs of the House Committee on Corrections and Institutions and the Senate
15 Committee on Institutions.

16 * * *

17 * * * Corrections * * *

18 Sec. 22. REPLACEMENT WOMEN’S FACILITIES; SITE LOCATION;
19 AUTHORITY TO PURCHASE LAND; INTENT; REPORT

20 (a) Intent. It is the intent of the General Assembly that a reentry facility for
21 justice-involved women shall be located at a site that is near support services,

1 programming, and work opportunities needed to facilitate successful reentry
2 into the community.

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

10 (c) Reports. Monthly, beginning on July 15, 2024 and ending on January
11 15, 2025, the Commissioner of Corrections shall report to the House
12 Committee on Corrections and Institutions and the Senate Committee on
13 Institutions regarding the progress in identifying State-owned property and, if
14 necessary, purchasing property on which to locate the replacement women’s
15 facilities for justice-involved women.

16 **Sec. 23. POTENTIAL REUSE OF CHITTENDEN REGIONAL**

17 **CORRECTIONAL FACILITY; FEASIBILITY; REPORT**

18 On or before January 15, 2025, the Commissioner of Corrections, in
19 consultation with the Commissioner of Buildings and General Services, shall
20 report to the House Committee on Corrections and Institutions and the Senate
21 Committee on Institutions regarding the feasibility of repurposing the

1 Chittenden Regional Correctional Facility as a reentry facility for justice-
2 involved men following the construction of replacement women’s facilities for
3 justice-involved women. The report shall include an analysis of modifications
4 and improvements required to reuse the Facility as a reentry facility and the
5 projected cost of making the required modifications and improvements.

6 * * * Judiciary * * *

7 **Sec. 24.** BARRE; WASHINGTON COUNTY SUPERIOR COURTHOUSE;
8 LAND ACQUISITION; AUTHORIZATION

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

13 **Sec. 25.** WHITE RIVER JUNCTION; WINDSOR COUNTY SUPERIOR
14 COURTHOUSE; TEMPORARY RELOCATION OF EMPLOYEES

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

20 * * * Effective Date * * *

21 **Sec. 26.** EFFECTIVE DATE

1 This act shall take effect on passage.