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H.882

Introduced by Committee on Corrections and Institutions

Date:

Subject: Capital construction; State bonding; budget adjustment

Statement of purpose of bill as introduced: This bill proposes to adjust the FY
2024 capital construction budget.

An act relating to capital construction and State bonding budget adjustment

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

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

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the ~~\$122,767,376.00~~
\$130,606,224.00 authorized in this act, not more than ~~\$56,520,325.00~~
\$56,420,325.00 shall be appropriated in the first year of the biennium, and the
remainder shall be appropriated in the second year.

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

1	Appropriation – FY 2024	\$23,126,244.00
2	Appropriation – FY 2025	\$25,275,000.00 <u>\$25,795,998.00</u>
3	Total Appropriation – Section 2	\$48,401,244.00 <u>\$48,922,242.00</u>

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

5 Sec. 3. HUMAN SERVICES

6 * * *

7 (b) The following sums are appropriated in FY 2025 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 (1) Northwest State Correctional Facility, booking expansion, planning,
11 design, and construction: ~~\$2,500,000.00~~ \$2,600,000.00

12 * * *

13 (3) Statewide, correctional facilities, HVAC systems, planning, design,
14 and construction for upgrades and replacements:
15 ~~\$700,000.00~~ \$5,150,000.00

16 (4) Statewide, correctional facilities, accessibility upgrades:
17 \$822,000.00

18 (5) South Burlington, justice-involved men, feasibility study for reentry
19 facility: \$200,000.00

20 * * *

1	Appropriation – FY 2024		\$1,800,000.00
2	Appropriation – FY 2025	\$16,200,000.00	<u>\$21,772,000.00</u>
3	Total Appropriation – Section 3	\$18,000,000.00	<u>\$23,572,000.00</u>

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

5 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

6 * * *

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

10 (1) Major maintenance at statewide historic sites:

11 ~~\$500,000.00~~ \$700,000.00

12 * * *

13 Appropriation – FY 2024 \$596,000.00

14 Appropriation – FY 2025 ~~\$596,000.00~~ \$796,000.00

15 Total Appropriation – Section 4 ~~\$1,192,000.00~~ \$1,392,000.00

16 Sec. 5. 2023 Acts and Resolves No. 69, Sec. 9 is amended to read:

17 Sec. 9. NATURAL RESOURCES

18 (a) The following sums are appropriated in FY 2024 to the Agency of
19 Natural Resources for the Department of Environmental Conservation for the
20 projects described in this subsection:

21 * * *

1 dismantling, and improvements to facilitate future use of the
2 facility): \$378,180.00

3 * * *

4 (h) From prior year bond issuance cost estimates allocated to the entities
5 to which funds were appropriated and for which bonding was required as the
6 source of funds, pursuant to 32 V.S.A. § 954, \$1,148,251.79 is reallocated to
7 defray expenditures authorized by this act.

8 Total Reallocations and Transfers – Section 16

9 \$14,767,376.32 \$17,358,383.85

10 Sec. 9. 2023 Acts and Resolves No. 69, Sec. 17 is amended to read:

11 Sec. 17. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

12 (a) The State Treasurer is authorized to issue general obligation bonds in
13 the amount of \$108,000,000.00 for the purpose of funding the appropriations
14 made in Secs. 2–15a of this act. The State Treasurer, with the approval of the
15 Governor, shall determine the appropriate form and maturity of the bonds
16 authorized by this section consistent with the underlying nature of the
17 appropriation to be funded. ~~The State Treasurer shall allocate the estimated~~
18 ~~cost of bond issuance or issuances to the entities to which funds are~~
19 ~~appropriated pursuant to this section and for which bonding is required as the~~
20 ~~source of funds, pursuant to 32 V.S.A. § 954.~~

1 maintenance facilities at the Gifford Woods State Park and Groton Forest
2 State Park; ~~and~~.

3 (21) ~~the Agency of Natural Resources is authorized to spend~~
4 ~~\$800,000.00 for the Department of Fish and Wildlife for infrastructure~~
5 ~~maintenance and improvements of the Department's buildings, including~~
6 ~~conservation camps. [Repealed.]~~

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

11 * * *

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

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

18 (5) 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 Special Teams Facility and Storage;

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~~(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.

* * *

Sec. 12. FISH HATCHERY FEASIBILITY STUDY

(a) On or before December 15, 2024, the Commissioner of Fish and Wildlife shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions regarding the feasibility of

1 continuing operations at the Salisbury Fish Hatchery after December 31, 2027,
2 of transferring the production capacity of the Salisbury Fish Hatchery to the Ed
3 Weed Fish Hatchery in Grand Isle, and of alternative options for replacing the
4 production capacity of the Salisbury Fish Hatchery.

5 (b) The report shall:

6 (1) identify the repairs, improvements, and other work necessary to
7 enable the Salisbury Fish Hatchery to obtain any permits necessary to continue
8 operating after December 31, 2027 and provide a detailed analysis of the
9 associated costs and a plan for accomplishing the work;

10 (2) identify any repairs, improvements, and other work necessary to
11 enable the production capacity of the Salisbury Fish Hatchery to be transferred
12 to the Ed Weed Fish Hatchery and provide a detailed analysis of the associated
13 costs and a plan for accomplishing the work; and

14 (3) examine alternative approaches to maintaining the State's fish
15 production capacity, including an analysis of associated costs and work
16 necessary to successfully implement each identified alternative approach.

17 * * * Buildings and General Services * * *

18 Sec. 13. 2023 Acts and Resolves No. 69, Sec. 22 is amended to read:

19 Sec. 22. SALE OF PROPERTIES

20 * * *

1 (c) 108 Cherry Street. Notwithstanding 29 V.S.A. § 166(b), the
2 Commissioner of Buildings and General Services is authorized to sell the
3 property located at 108 Cherry Street in the City of Burlington. The
4 Commissioner shall first offer in writing to the City the right to purchase the
5 property.

6 * * *

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

15 Sec. 14. SALE OF FORMER WILLISTON STATE POLICE BARRACKS;

16 INTENT; REPORT

17 Prior to authorizing the sale of the former Williston State Police Barracks, it
18 is the intent of the General Assembly that the Town of Williston shall report to
19 the House Committee on Corrections and Institutions in January 2025
20 regarding:

21 (1) whether the town desires to purchase the property; and

1 Sec. 16. FORMER SOUTHEAST STATE CORRECTIONAL FACILITY;
2 BUILDING DEMOLITION

3 (a) The Department of Buildings and General Services, in consultation with
4 the Mount Ascutney Regional Commission, shall determine the buildings at
5 the former Southeast State Correctional Facility property that shall be
6 prioritized for environmental remediation, demolition, salvage, and
7 dismantling. The Commissioner shall consider the impact of building
8 demolition on future site development when determining which buildings to
9 prioritize.

10 (b) The Commissioner shall notify the Chairs of the House Committee on
11 Corrections and Institutions and the Senate Committee on Institutions of the
12 buildings proposed for environmental remediation, demolition, salvage, and
13 dismantling.

14 (c) Environmental testing and remediation, demolition, salvage, and
15 dismantling shall commence during calendar year 2024.

16 Sec. 17. SOUTHEAST STATE CORRECTIONAL FACILITY; POTENTIAL
17 LAND TRANSFER; REPORT

18 (a) The Department of Fish and Wildlife, in consultation with the
19 Department of Buildings and General Services, shall evaluate the potential
20 transfer of a portion of the former Southeast State Correctional Facility

1 property to the Department of Fish and Wildlife for inclusion in the adjacent
2 wildlife management area. The evaluation shall:

3 (1) delineate the portions of the former Southeast State Correctional
4 Facility property that could be used for future redevelopment of the site, taking
5 into account any necessary setbacks from wetlands, streams, or wildlife
6 habitat;

7 (2) identify any portions of the property that could be transferred into
8 the adjacent wildlife management area and potential impacts on the
9 redevelopment or sale of the property from the transfer of the identified
10 portions; and

11 (3) identify any rights of way or easements that will be necessary for the
12 potential future redevelopment of any retained portion of the property.

13 (b) On or before January 15, 2025, the Commissioner of Fish and Wildlife
14 and the Commissioner of Buildings and General Services shall report to the
15 House Committee on Corrections and Institutions and the Senate Committee
16 on Institutions regarding the evaluation and any legislative action that may be
17 necessary to facilitate a proposed transfer or redevelopment of the property.

18 Sec. 18. STATE BUILDING NAMING; STUDY COMMITTEE; REPORT

19 (a) Creation. There is created the State Building Naming Study Committee
20 to develop a proposed process for naming State buildings that are under the
21 jurisdiction of the Department of Buildings and General Services.

1 (b) Membership. The Committee shall be composed of the following
2 members:

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

4 (2) the Secretary of Commerce and Community Development or
5 designee;

6 (3) the Commissioner of Buildings and General Services or designee;

7 (4) the Executive Director of the Vermont Historical Society or
8 designee;

9 (5) the State Librarian or designee

10 (6) the Executive Director of the Vermont League of Cities and Towns
11 or designee; and

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

13 (c) Powers and duties. The Committee shall develop a proposed process
14 for naming State buildings that are under the jurisdiction of the Department of
15 Buildings and General Services. The proposed process developed by the
16 Committee shall address the following:

17 (1) an entity within State government, other than the General Assembly,
18 that should have authority for naming State buildings that are under the
19 jurisdiction of the Department of Buildings and General Services;

1 (2) entities and individuals who should be involved in determining
2 whether to name specific State buildings that are under the jurisdiction of the
3 Department of Buildings and General Services;

4 (3) methods by which a municipality or the general public may petition
5 to name a State building under the jurisdiction of the Department of Buildings
6 and General Services after a specific person;

7 (4) any requirements for a historical nexus between the building
8 proposed to be named and the person for whom it is proposed to be named; and

9 (5) the process for considering a petition to name a State building,
10 including requirements related to public notice, conduct of hearings, and
11 standards for rendering a decision on a petition.

12 (d) Report. On or before January 15, 2025, the Committee shall report to
13 the House Committee on Corrections and Institutions and the Senate
14 Committee on Institutions regarding its proposal and any recommendations for
15 legislative action.

16 (e) Meetings.

17 (1) The State Historic Preservation Officer shall call the first meeting of
18 the Committee to occur on or before September 1, 2024.

19 (2) The Committee shall select a chair from among its members at the
20 first meeting.

21 (3) A majority of the membership shall constitute a quorum.

1 (4) The Committee shall cease to exist on January 30, 2025.

2 Sec. 19. FORENSIC FACILITY; NEEDS; REVIEW; REPORT

3 The Commissioner of Buildings and General Services, in consultation with
4 the Commissioners of Mental Health and of Disabilities, Aging, and
5 Independent Living, shall review the programming needs and facility
6 requirements of individuals who will be housed in a proposed forensic facility.

7 Sec. 20. DEPARTMENT FOR CHILDREN AND FAMILIES YOUTH

8 SHORT-TERM STABILIZATION AND TREATMENT CENTER;

9 LONG-TERM LEASE; AUTHORIZATION

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

17 Sec. 21. CAPITOL COMPLEX FLOOD RECOVERY; SPECIAL

18 COMMITTEE

19 (a) The Special Committee on Capitol Complex Flood Recovery is
20 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)(1) The Special Committee shall meet at the call of the chair of the Joint
4 Fiscal Committee, in consultation with the chairs of the House Committee on
5 Corrections and Institutions and the Senate Committee on Institutions.

6 (2)(A) The Special Committee shall meet to review and recommend
7 alterations to proposals and plans for Capitol Complex flood recovery.

8 (B) The Special Committee may, as necessary, grant approval to
9 proposals and plans for Capitol Complex flood recovery.

10 (c) The Commissioner of Buildings and General Services shall provide
11 quarterly updates to the Special Committee on the planning process for Capitol
12 Complex flood recovery.

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

15 Sec. 22. STATE HOUSE; IMPROVEMENTS; DESIGN; SPECIAL

16 COMMITTEE

17 (a)(1) To allow the Department of Buildings and General Services to begin
18 the design development phase, it is the intent of the General Assembly to
19 approve a schematic design plan for accessibility, life safety, and mechanical
20 systems improvements to the State House identified in Scenario 1, as approved

1 by the Joint Legislative Management Committee on December 15, 2023 and
2 excluding any improvements that would impact committee rooms.

3 (2) The Commissioner of Buildings and General Services shall provide
4 the Special Committee established pursuant to subsection (b) of this section
5 with a draft schematic design plan for the work identified pursuant to
6 subdivision (1) of this subsection on or before July 15, 2024 and a final
7 schematic design plan on or before September 15, 2024.

8 (b)(1) A Special Committee to be called the Special Committee on State
9 House Improvements consisting of the Joint Legislative Management
10 Committee and the Chairs of the House Committee on Corrections and
11 Institutions and the Senate Committee on Institutions is established.

12 (2) The Special Committee is authorized to meet to:

13 (A) review and recommend alterations to the draft schematic design
14 to be submitted on or before July 15, 2024 as described in subsection (a) of this
15 section at a regularly scheduled Joint Legislative Management Committee
16 meeting; and

17 (B) review and approve the final schematic design to be submitted on
18 or before September 15, 2024 as described in subsection (a) of this section at a
19 regularly scheduled Joint Legislative Management Committee meeting.

20 (c) In making its decision, the Special Committee shall consider:

1 property, provided the option contains a provision stating that purchase of the
2 property shall occur only upon the approval of the General Assembly and the
3 appropriation of funds for this purpose. The State Treasurer is authorized to
4 advance a sum not to exceed ~~\$75,000.00~~ five percent of the listed sale price of
5 the property, upon warrants drawn by the Commissioner of Finance and
6 Management for the purpose of purchasing an option on a property pursuant to
7 this subdivision.

8 * * *

9 (19) Transfer any unexpended project balances between projects that are
10 authorized within the same section of ~~an annual~~ a biennial capital construction
11 act.

12 (20) Transfer any unexpended project balances between projects that are
13 authorized within different capital construction acts, with the approval of the
14 Secretary of Administration, when the unexpended project balance does not
15 exceed ~~\$100,000.00~~ \$200,000.00, or with the additional approval of the
16 Emergency Board when such balance exceeds ~~\$100,000.00~~ \$200,000.00.

17 * * *

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

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* * * Corrections * * *

Sec. 24. 2023 Acts and Resolves No. 69, Sec. 28 is amended to read:

Sec. 28. REPLACEMENT WOMEN’S FACILITIES; SITE LOCATION
PROPOSAL; DESIGN INTENT

(a) Site location proposal.

(1)(A) ~~Site location proposal.~~ On or before January 15, ~~2024~~ 2025, the Commissioner of Buildings and General Services shall submit a site location proposal for replacement women’s facilities for justice-involved women to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(B) It is the intent of the General Assembly that:

(i) when evaluating site locations, preference shall be given to State-owned property; and

(ii) the site location, regardless of whether it is on State-owned land or land proposed to be purchased by the State, shall be:

(I) near support services, programming, and work opportunities needed to facilitate successful reentry into the community; and

(II) in a reasonable proximity to the existing workforce to facilitate retention and continuity of experienced staff.

1 property and, if necessary, purchasing property on which to locate the
2 replacement facilities for justice-involved women.

3 Sec. 26. POTENTIAL REUSE OF CHITTENDEN REGIONAL
4 CORRECTIONAL FACILITY SITE; FEASIBILITY; REPORT

5 (a) On or before February 15, 2025, the Commissioner of Buildings and
6 General Services, in consultation with the Commissioner of Corrections, shall
7 report to the House Committee on Corrections and Institutions and the Senate
8 Committees on Institutions and on Judiciary regarding the feasibility of
9 utilizing the site of the Chittenden Regional Correctional Facility for a reentry
10 facility for eligible justice-involved men following the construction of
11 replacement facilities for justice-involved women.

12 (b) The report shall evaluate:

13 (1)(A) the condition and structure of the existing facility to determine if
14 it can be repurposed as a reentry facility in a manner that supports the
15 programmatic goals of the Department of Corrections using evidence-based
16 principles for wellness environments for supporting trauma-informed practices;
17 and

18 (B) if it can be repurposed as a reentry facility, the improvements and
19 other work necessary to support the programmatic goals of the Department of
20 Corrections using evidence-based principles for wellness environments for

1 supporting trauma-informed practices and the estimated cost of performing the
2 work;

3 (2)(A) whether a new reentry facility could be constructed on the site
4 following the demolition of some or all of the existing facility;

5 (B) potential designs for a newly constructed reentry facility at the
6 site that supports the programmatic goals of the Department of Corrections
7 using evidence-based principles for wellness environments for supporting
8 trauma-informed practices; and

9 (C) site work, improvements, and other work necessary to construct a
10 new reentry facility on the site, including the cost of any such work.

11 * * * Judiciary * * *

12 Sec. 27. BARRE; WASHINGTON COUNTY SUPERIOR COURTHOUSE;
13 LAND ACQUISITION; AUTHORIZATION; COMMUNICATION
14 WITH CITY

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

19 (b) The Commissioner shall:

20 (1) consult with the City of Barre on potential options for renovating or
21 replacing the Washington County Superior Courthouse in Barre; and

1 (2) provide updates to the City on progress made with respect to
2 renovating or replacing the Courthouse.

3 Sec. 28. WHITE RIVER JUNCTION; WINDSOR COUNTY SUPERIOR

4 COURTHOUSE; TEMPORARY RELOCATION OF EMPLOYEES

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

10 * * * Effective Date * * *

11 Sec. 29. EFFECTIVE DATE

12 This act shall take effect on passage.