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H.494

Introduced by Committee on Corrections and Institutions

Date:

Subject: Capital construction; capital appropriations; State bonding

Statement of purpose of bill as introduced: This bill proposes to authorize bonding, appropriate capital funds, and address miscellaneous related items.

An act relating to capital construction and State bonding

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

* * * Legislative Intent * * *

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the \$111,965,288.44 authorized in this act, not more than \$61,614,761.44 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	<u>(2) Statewide, planning, reuse, and contingency:</u>	<u>\$250,000.00</u>
2	<u>(3) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
3	<u>(4) Statewide, three-acre parcel stormwater compliance:</u>	<u>\$1,100,000.00</u>
4	<u>(5) Statewide, Art in State Buildings Program:</u>	<u>\$75,000.00</u>
5	<u>(6) Pittsford, Academy firing range upgrades:</u>	<u>\$200,000.00</u>
6	<u>(7) Montpelier, State House replacement of historic interior finishes:</u>	
7		<u>\$50,000.00</u>
8	<u>(8) Montpelier, 120 State Street HVAC – steam lines interior</u>	
9	<u>renovation:</u>	<u>\$2,000,000.00</u>
10	<u>(9) Middlesex, Vermont State Archives roof replacement, main</u>	
11	<u>building:</u>	<u>\$1,000,000.00</u>
12	<u>(10) Waterbury, State Office Complex historic core roof replacement:</u>	
13		<u>\$2,000,000.00</u>
14	<u>(11) Burlington, 32 Cherry St. parking garage repairs:</u>	
15		<u>\$500,000.00</u>
16	<u>Appropriation – FY 2026</u>	<u>\$14,371,680.44</u>
17	<u>Appropriation – FY 2027</u>	<u>\$15,925,000.00</u>
18	<u>Total Appropriation – Section 2</u>	<u>\$30,296,680.44</u>

1 Sec. 3. HUMAN SERVICES

2 (a) The following sums are appropriated in FY 2026 to the Department of
3 Buildings and General Services for the Agency of Human Services for the
4 following projects:

5 (1) Statewide, planning, design, and construction for HVAC system
6 upgrades at correctional facilities: \$4,000,000.00

7 (2) Statewide, accessibility upgrades at correctional facilities:
8 \$2,000,000.00

9 (3) Statewide, correctional facility safety and security upgrades:
10 \$225,000.00

11 (4) St. Johnsbury, Northeast Correctional Complex (NECC) door
12 control system replacements: \$1,000,000.00

13 (5) St. Albans, Northwest State Regional Correctional Facility
14 (NWSCF) roof replacement: \$1,000,000.00

15 (b) The following sums are appropriated in FY 2027 to the Department of
16 Buildings and General Services for the Agency of Human Services for the
17 following projects:

18 (1) Statewide, planning, design, and construction for HVAC system
19 upgrades at correctional facilities: \$1,000,000.00

20 (2) Statewide, correctional facility safety and security upgrades:
21 \$200,000.00

1	<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$550,000.00</u>
2	<u>(2) Vermont Underwater Historic Preserves:</u>	<u>\$46,000.00</u>
3	<u>(3) Roadside historic site markers:</u>	<u>\$25,000.00</u>
4	<u>(4) Bennington, Battle Monument, maintenance of safety fencing,</u>	
5	<u>restoration, planning, and design:</u>	<u>\$525,000.00</u>
6	<u>(b) The following sums are appropriated in FY 2027 to the Agency of</u>	
7	<u>Commerce and Community Development for the following projects:</u>	
8	<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$550,000.00</u>
9	<u>(2) Vermont Underwater Historic Preserves:</u>	<u>\$46,000.00</u>
10	<u>(3) Roadside historic site markers:</u>	<u>\$25,000.00</u>
11	<u>Appropriation – FY 2026</u>	<u>\$1,146,000.00</u>
12	<u>Appropriation – FY 2027</u>	<u>\$621,000.00</u>
13	<u>Total Appropriation – Section 4</u>	<u>\$1,767,000.00</u>
14	Sec. 5. GRANT PROGRAMS	
15	<u>(a) The following sums are appropriated in FY 2026 for the Building</u>	
16	<u>Communities Grants established in 24 V.S.A. chapter 137:</u>	
17	<u>(1) To the Agency of Commerce and Community Development,</u>	
18	<u>Division for Historic Preservation, for the Historic Preservation Grant</u>	
19	<u>Program:</u>	<u>\$300,000.00</u>

1	<u>Appropriation – FY 2026</u>	<u>\$1,500,000.00</u>
2	<u>Appropriation – FY 2027</u>	<u>\$1,500,000.00</u>
3	<u>Total Appropriation – Section 7</u>	<u>\$3,000,000.00</u>
4	Sec. 8. VERMONT STATE COLLEGES	
5	<u>(a) The following sums are appropriated in FY 2026 to the Vermont State</u>	
6	<u>Colleges for the following projects:</u>	
7	<u>(1) Statewide, construction, renovations, and major maintenance:</u>	
8		<u>\$1,500,000.00</u>
9	<u>(2) Johnson, the central heating plant replacement:</u>	<u>\$1,500,000.00</u>
10	<u>(b) The following sums are appropriated in FY 2027 to the Vermont State</u>	
11	<u>Colleges for the following projects:</u>	
12	<u>(1) Statewide, construction, renovations, and major maintenance:</u>	
13		<u>\$1,500,000.00</u>
14	<u>(2) Johnson, central heating plant replacement:</u>	<u>\$3,500,000.00</u>
15	<u>(c) For the amounts appropriated in subdivisions (a)(2) and (b)(2) of this</u>	
16	<u>section, the Vermont State Colleges shall work with Efficiency Vermont to</u>	
17	<u>develop a central heating plant replacement.</u>	
18	<u>Appropriation – FY 2026</u>	<u>\$3,000,000.00</u>
19	<u>Appropriation – FY 2027</u>	<u>\$5,000,000.00</u>
20	<u>Total Appropriation – Section 8</u>	<u>\$8,000,000.00</u>

1	<u>(3) Lamoille County Courthouse, purchase and installation of backup</u>	
2	<u>power system:</u>	<u>\$190,000.00</u>
3	<u>Appropriation – FY 2026</u>	<u>\$3,975,910.00</u>
4	<u>Total Appropriation – Section 14</u>	<u>\$3,975,910.00</u>

5 Sec. 15. VERMONT RURAL FIRE PROTECTION

6 (a) The sum of \$125,000.00 is appropriated in FY 2026 to the Department
7 of Public Safety for the Vermont Rural Fire Protection Task Force for the dry
8 hydrant program.

9 (b) The sum of \$125,000.00 is appropriated in FY 2027 to the Department
10 of Public Safety for the Vermont Rural Fire Protection Task Force for the
11 project described in subsection (a) of this section.

12	<u>Appropriation – FY 2026</u>	<u>\$125,000.00</u>
13	<u>Appropriation – FY 2027</u>	<u>\$125,000.00</u>
14	<u>Total Appropriation – Section 12</u>	<u>\$250,000.00</u>

15 Sec. 16. VERMONT HISTORICAL SOCIETY

16 The sum of \$700,000.00 is appropriated in FY 2026 to the Vermont
17 Historical Society to mitigate water infiltration at the roof, foundation, and
18 basement of the Spaulding Building in Barre.

19	<u>Appropriation – FY 2026</u>	<u>\$700,000.00</u>
20	<u>Total Appropriation – Section 16</u>	<u>\$700,000.00</u>

1 (6) of the amount appropriated in 2023 Acts and Resolves No. 69, Sec.
2 2(b)(3) (statewide, planning, reuse, and contingency): \$425,000.00

3 (7) of the amount appropriated in 2023 Acts and Resolves No. 69, Sec.
4 2(c)(7) (Northern State Correctional Facility, planning and construction for
5 the boiler replacement): \$1,000,000.00

6 (8) of the amount appropriated in 2023 Acts and Resolves No. 69, Sec.
7 3(b)(5), as added by 2024 Acts and Resolves No. 162, Sec. 3 (South
8 Burlington, justice-involved men, feasibility study for reentry
9 facility): \$125,000.00

10 (9) of the amounts appropriated in 2015 Acts and Resolves No. 26,
11 Sec. 2(b) (various projects): \$58,279.44

12 (10) of the amounts appropriated in 2017 Acts and Resolves No. 84,
13 Sec. 2(b) (various projects): \$23,237.47

14 (11) of the amounts appropriated in 2019 Acts and Resolves No. 42,
15 Sec. 2(b) (various projects): \$73,784.44

16 (b) The following sums appropriated to the Agency of Commerce and
17 Community Development from prior capital appropriations are reallocated to
18 defray expenditures authorized in Secs. 2–16 of this act:

19 (1) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
20 5(c)(3), as amended by 2020 Acts & Resolves No. 139, Sec. 3 (Highgate
21 Native American Cemetery): \$12,042.00

1 \$115,000.00 is reallocated to defray expenditures authorized in Secs. 2–16 of
2 this act.

3 (f) Of the amount appropriated to the Agency of Education in 2021 Acts
4 and Resolves No. 50, Sec. 6(a) (funding emergency projects), \$19,549.00 is
5 reallocated to defray expenditures authorized in Secs. 2–16 of this act.

6 (g) Of the amount appropriated to the Agency of Natural Resources for
7 the Department of Environmental Conservation in 2017 Acts and Resolves
8 No. 84, Sec. 11(b)(2) (ecosystem restoration and protection), \$249.01 is
9 reallocated to defray expenditures authorized in Secs. 2–16 of this act.

10 (h) Of the amount appropriated from the Capital Infrastructure
11 subaccount of the Cash Fund for Capital and Essential Investments to the
12 Vermont Veterans' Home in 2024 Acts and Resolves No. 113, Sec.
13 B.1103(a)(7) and authorized in 2023 Acts and Resolves No. 69, Sec. 18(d)(7)
14 (design for the renovation of the Brandon and Cardinal units), \$1,500,000.00
15 is reallocated to defray expenditures authorized in Sec. 19 of this act.

16 (i) Of the amount appropriated from the Capital Infrastructure subaccount
17 of the Cash Fund for Capital and Essential Investments to the Department of
18 Buildings and General Services in 2024 Acts and Resolves No. 113, Sec.
19 B.1103(a)(9) and authorized in 2023 Acts and Resolves No. 69, Sec.
20 18(d)(10) (111 State Street; renovation of the stack area), \$200,000.00 is
21 reallocated to defray expenditures authorized in Sec. 19 of this act.

1 (j) Notwithstanding 32 V.S.A. § 701a(c)(2), the Department of Buildings
2 and General Services may retain for the same purposes the unexpended
3 amounts not reallocated in this act that were appropriated in the following
4 capital construction acts:

5 (1) 2017 Acts and Resolves No. 84, Sec. 13(b)(2), as added by 2018
6 Acts and Resolves No. 190, Sec. 10 (East Cottage); and

7 (2) 2019 Acts and Resolves No. 42, Sec. 2(b) (various projects).

8 (k) Notwithstanding 32 V.S.A. § 701a(c)(2), the Agency of Agriculture,
9 Food and Markets may retain for the same purposes the unexpended amount
10 not reallocated in this act appropriated in 2017 Acts and Resolves No. 84,
11 Sec. 11(e)(1)(B), as added by 2018 Acts and Resolves No. 190, Sec. 8
12 (phosphorus removal equipment).

13 (l) Notwithstanding 32 V.S.A. § 701a(c)(2), the Department of
14 Environmental Conservation may retain for the same purposes the
15 unexpended amounts not reallocated in this act that were appropriated in the
16 following capital construction acts:

17 (1) 2017 Acts and Resolves No. 84, Sec. 11(f)(2)(A), as added by
18 2018 Acts and Resolves No. 190, Sec. 8 (Standard EcoSystem Restoration
19 and Protection programs);

20 (2) 2019 Acts and Resolves No. 42, Sec. 11(b) (pollution control); and

1 (3) 2019 Acts and Resolves No. 42, Sec. 10(a)(2) (dam safety and
2 hydrology projects).

3 (m) Notwithstanding 32 V.S.A. § 701a(c)(2), the Agency of
4 Transportation may retain for the same purposes the unexpended amounts not
5 reallocated in this act that were appropriated in the following capital
6 construction acts:

7 (1) 2017 Acts and Resolves No. 84, Sec. 11(c) (Municipal Mitigation
8 Program); and

9 (2) 2017 Acts and Resolves No. 84, Sec. 11(l), as added by 2018 Acts
10 and Resolves No. 190, Sec. 8 (Municipal Mitigation Program).

11 <u>Bonded Dollars</u>	<u>\$5,074,938.48</u>
12 <u>Cash</u>	<u>\$1,700,000.00</u>
13 <u>Total Reallocations and Transfers – Section 17</u>	<u>\$6,774,938.48</u>

14 Sec. 18. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

15 (a) The State Treasurer is authorized to issue general obligation bonds in
16 the amount of \$100,000,000.00 for the purpose of funding the appropriations
17 made in Secs. 2–16 of this act. The State Treasurer, with the approval of the
18 Governor, shall determine the appropriate form and maturity of the bonds
19 authorized by this section consistent with the underlying nature of the
20 appropriation to be funded.

1 match to the Infrastructure Investment and Jobs Act Drinking Water State
2 Revolving Fund and Clean Water State Revolving Fund, in accordance with
3 the provisions of 2023 Acts and Resolves No. 78, Sec. C.108(b), in the amount
4 of \$14,500,000.00.

5 (e) Transfer. Notwithstanding 29 V.S.A. § 152(a)(20), the Commissioner
6 of Buildings and General Services is authorized to transfer any unexpended
7 project balances between the amount appropriated in subdivision (c)(7) of this
8 section and the amounts appropriated in 2023 Acts and Resolves No. 69, Sec.
9 15(b)(1) (emergency generator and boiler plant replacement).

10 * * * Policy * * *

11 * * * Capital Budgeting Process * * *

12 Sec. 20. 32 V.S.A. § 701a is amended to read:

13 § 701a. CAPITAL CONSTRUCTION BILL

14 * * *

15 (d)(1) On or before November 15 each year, the Commissioner of Finance
16 and Management shall require each entity to which spending authority has
17 been authorized by a capital construction act enacted in a legislative session
18 that was two or more years prior to the current legislative session to submit a
19 report on the current fund balances of each authorized project with unexpended
20 funds. The report shall include plans for the unexpended funds, any projects or

1 contracts the funds are assigned to, and an anticipated timeline for expending
2 the funds.

3 (2) On or before ~~December 15 each year~~ the third Tuesday of every
4 annual session, the Commissioner of Finance and Management shall submit in
5 a consolidated format the reports required by subdivision (1) of this subsection
6 to the House Committee on Corrections and Institutions and the Senate
7 Committee on Institutions.

8 * * *

9 Sec. 21. 32 V.S.A. § 310 is amended to read:

10 § 310. FORM OF ANNUAL CAPITAL BUDGET AND 10-YEAR
11 CAPITAL PROGRAM PLAN

12 * * *

13 (b) The capital budget request for the following biennium shall be
14 presented as the next increment of the 10-year plan. Elements of the plan shall
15 include:

16 * * *

17 (2) Comprehensive cost and financing assessment.

18 (A) Amounts appropriated and expended for the current fiscal year
19 and for the preceding fiscal year shall be indicated for capital programs and for
20 individual projects. For the five fiscal years preceding these, the assessment
21 shall include the aggregate amounts appropriated and expended for individual

1 projects, which amounts shall be categorized by funding type and presented in
2 a format that concisely displays the funding stream and project phases for each
3 individual project over time. The assessment shall indicate further the source
4 of funds for any project that required additional funding and a description of
5 any authorized projects that were delayed.

6 * * *

7 Sec. 22. 32 V.S.A. § 1001b is amended to read:

8 § 1001b. CASH FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS

9 * * *

10 (e) Spending authority. Any entity authorized to make expenditures from
11 the Capital Infrastructure subaccount shall have not more than ~~two~~ three years
12 from the end of the legislative session in which the act authorizing the
13 expenditure was enacted to encumber the funds. Any remaining
14 unencumbered funds shall remain part of the Fund account.

15 * * * Buildings and General Services * * *

16 Sec. 23. TRANSFER OF RANDALL MEADOW PROPERTY IN THE
17 TOWN OF WATERBURY

18 Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and
19 General Services is authorized to survey, subdivide, and transfer to the Town
20 of Waterbury the portion of land in the Waterbury State Office Complex
21 (Parcel ID # 69622111909 as designated on the Town of Waterbury's Tax

1 Parcel Maps) that is commonly referred to as the “Randall Meadow,” provided
2 that the Commissioner may transfer the Randall Meadow property only once:

3 (1) the parcel has been subdivided to reflect stormwater management
4 needs of the Waterbury State Office Complex to the satisfaction of the
5 Commissioner;

6 (2) any permits required for transfer have been obtained; and

7 (3) the Commissioner and the Town of Waterbury have created a plan to
8 align the transfer with the current lease for the parcel.

9 Sec. 24. 2024 Acts and Resolves No. 162, Sec. 27 is amended to read:

10 Sec. 27. CAPITOL COMPLEX FLOOD RECOVERY; SPECIAL
11 COMMITTEE

12 * * *

13 (c) The Commissioner of Buildings and General Services shall provide
14 quarterly updates to the Special Committee on the planning process for Capitol
15 Complex flood recovery and shall provide timely notification to the City of
16 Montpelier and the Montpelier Commission for Recovery and Resilience of
17 alterations to proposals and plans for Capitol Complex flood recovery.

18 * * *

