

H.494

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.

Sec. 2. STATE BUILDINGS

(a) The following sums are appropriated to the Department of Buildings and General Services, and the Commissioner is authorized to direct funds appropriated in this section to the projects contained in this section; however, no project shall be canceled unless the Chairs of the Senate Committee on Institutions and the House Committee on Corrections and Institutions are notified before that action is taken.

VT LEG #382306 v.1

1	<u>(8) Montpelier, 120 State Street HVAC – steam lines interior</u>	
2	<u>renovation:</u>	<u>\$2,000,000.00</u>
3	<u>(9) Middlesex, Vermont State Archives roof replacement, main</u>	
4	<u>building:</u>	<u>\$1,000,000.00</u>
5	<u>(10) Waterbury, State Office Complex historic core roof replacement:</u>	
6		<u>\$2,000,000.00</u>
7	<u>(11) Burlington, 32 Cherry St. parking garage repairs:</u>	
8		<u>\$500,000.00</u>
9	<u>Appropriation – FY 2026</u>	<u>\$14,371,680.44</u>
10	<u>Appropriation – FY 2027</u>	<u>\$15,925,000.00</u>
11	<u>Total Appropriation – Section 2</u>	<u>\$30,296,680.44</u>
12	Sec. 3. HUMAN SERVICES	
13	<u>(a) The following sums are appropriated in FY 2026 to the Department of</u>	
14	<u>Buildings and General Services for the Agency of Human Services for the</u>	
15	<u>following projects:</u>	
16	<u>(1) Statewide, planning, design, and construction for HVAC system</u>	
17	<u>upgrades at correctional facilities:</u>	<u>\$4,000,000.00</u>
18	<u>(2) Statewide, accessibility upgrades at correctional facilities:</u>	
19		<u>\$2,000,000.00</u>
20	<u>(3) Statewide, correctional facility safety and security upgrades:</u>	
21		<u>\$225,000.00</u>

3(b)(1), as amended by 2024 Acts and Resolves No. 162, Sec. 3 (NWSCF,
booking expansion, planning, design, and construction), and the Commissioner
of Finance and Management may release the amount notwithstanding 2023
Acts and Resolves No. 69, Sec. 27(a) (NWSCF; funding request for federal
detainees).

Appropriation – FY 2026 \$8,225,000.00

Appropriation – FY 2027 \$4,800,000.00

Total Appropriation – Section 3 \$13,025,000.00

Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2026 to the Agency of
Commerce and Community Development for the following projects:

(1) Major maintenance at statewide historic sites: \$550,000.00

(2) Vermont Underwater Historic Preserves: \$46,000.00

(3) Roadside historic site markers: \$25,000.00

(4) Bennington, Battle Monument, maintenance of safety fencing,

restoration, planning, and design: \$525,000.00

(b) The following sums are appropriated in FY 2027 to the Agency of
Commerce and Community Development for the following projects:

(1) Major maintenance at statewide historic sites: \$550,000.00

(2) Vermont Underwater Historic Preserves: \$46,000.00

(3) Roadside historic site markers: \$25,000.00

3	<u>Total Appropriation – Section 4</u>	<u>\$1,767,000.00</u>
---	--	-----------------------

4 Sec. 5. GRANT PROGRAMS

5 (a) The following sums are appropriated in FY 2026 for the Building

6 Communities Grants established in 24 V.S.A. chapter 137:

7 (1) To the Agency of Commerce and Community Development,

8 Division for Historic Preservation, for the Historic Preservation Grant

9	<u>Program:</u>	\$300,000.00
---	-----------------	--------------

10 (2) To the Agency of Commerce and Community Development,

11 Division for Historic Preservation, for the Historic Barns Preservation Grant

12	<u>Program:</u>	<u>\$300,000.00</u>
----	-----------------	---------------------

13 (3) To the Vermont Council on the Arts for the Cultural Facilities Grant

14 Program, the sum of which may be used to match funds that may be made

15 available from the National Endowment for the Arts, provided that all capital

16 funds are made available to the Cultural Facilities Grant Program:

17 \$300,000.00

18 (4) To the Department of Buildings and General Services for the

19	<u>Recreational Facilities Grant Program:</u>	\$300,000.00
----	---	--------------

20 (5) To the Department of Buildings and General Services for the Human

21	<u>Services and Educational Facilities Competitive Grant Program:</u>	<u>\$300,000.00</u>
----	---	---------------------

(7) To the Agency of Agriculture, Food and Markets for the Agricultural
Fairs and Field Days Capital Projects Competitive Grant Program:
\$300,000.00

(1) To the Agency of Commerce and Community Development,
Division for Historic Preservation, for the Historic Preservation Grant
Program: \$300,000.00

11	<u>(2) To the Agency of Commerce and Community Development,</u>	
12	<u>Division for Historic Preservation, for the Historic Barns Preservation Grant</u>	
13	<u>Program:</u>	\$300,000.00

14 (3) To the Vermont Council on the Arts for the Cultural Facilities Grant
15 Program, the sum of which may be used to match funds that may be made
16 available from the National Endowment for the Arts, provided that all capital
17 funds are made available to the Cultural Facilities Grant Program:
18 \$300,000.00

19	<u>(4) To the Department of Buildings and General Services for the</u>	
20	Recreational Facilities Grant Program:	\$300,000.00

2	<u>Total Appropriation – Section 6</u>	<u>\$1,050,000.00</u>
---	--	-----------------------

4 (a) The sum of \$1,500,000.00 is appropriated in FY 2026 to the University
5 of Vermont for construction, renovations, and major maintenance.

9	<u>Appropriation – FY 2027</u>	\$1,500,000.00
---	--------------------------------	----------------

11 Sec. 8. VERMONT STATE COLLEGES

14 (1) Statewide, construction, renovations, and major maintenance:

16	<u>(2) Johnson, the central heating plant replacement:</u>	<u>\$1,500,000.00</u>
----	--	-----------------------

19 (1) Statewide, construction, renovations, and major maintenance:

21	<u>(2) Johnson, central heating plant replacement:</u>	<u>\$3,500,000.00</u>
----	--	-----------------------

1 (c) For the amounts appropriated in subdivisions (a)(2) and (b)(2) of this
2 section, the Vermont State Colleges shall work with Efficiency Vermont to
3 develop a central heating plant replacement.

4 Appropriation – FY 2026 \$3,000,000.00

5 Appropriation – FY 2027 \$5,000,000.00

6 Total Appropriation – Section 8 \$8,000,000.00

7 Sec. 9. NATURAL RESOURCES

8 (a) The sum of \$500,000.00 is appropriated in FY 2026 to the Agency of
9 Natural Resources for the Department of Environmental Conservation for dam
10 safety and hydrology projects.

11 (b) The following sums are appropriated in FY 2026 to the Agency of
12 Natural Resources for the Department of Forests, Parks and Recreation for the
13 following projects:

14 (1) Park infrastructure and rehabilitation, improvement, and three-acre
15 rule compliance: \$3,500,000.00

16 (2) Public lands access infrastructure: \$700,000.00

17 (c) The sum of \$1,105,000.00 is appropriated in FY 2026 to the Agency of
18 Natural Resources for the Department of Fish and Wildlife for major
19 maintenance and infrastructure projects.

1 (b) The sum of \$4,000,000.00 is appropriated in FY 2026 to the Agency of
2 Natural Resources for the Department of Environmental Conservation for
3 municipal pollution control grants.

4 (c) The sum of \$200,000.00 is appropriated in FY 2026 to the Agency of
5 Natural Resources for the Department of Forests, Parks and Recreation for
6 water quality improvements to forest access roads.

7 (d)(1) The following sums are appropriated in FY 2026 to the Vermont
8 Housing and Conservation Board for the following projects:

9 (A) Agricultural water quality projects: \$800,000.00

10 (B) Land conservation and water quality projects: \$2,000,000.00

11 (2) A grant issued under subdivision (1)(A) of this subsection:

12 (A) shall not be considered a State grant under 6 V.S.A. chapter 215,
13 subchapter 3 for purposes of calculating the maximum amount of a State water
14 quality assistance award under 6 V.S.A. § 4824 or 4826; and

15 (B) may be used to satisfy a grant recipient's cost-share
16 requirements.

17 (e) The sum of \$10,000,000.00 is appropriated in FY 2027 to the Agency
18 of Natural Resources for the Department of Environmental Conservation for
19 clean water implementation projects.

4	<u>Appropriation – FY 2026</u>	<u>\$10,000,000.00</u>
5	<u>Appropriation – FY 2027</u>	<u>\$10,000,000.00</u>
6	<u>Total Appropriation – Section 10</u>	<u>\$20,000,000.00</u>

17	<u>Appropriation – FY 2026</u>	<u>\$2,616,171.00</u>
18	<u>Appropriation – FY 2027</u>	<u>\$1,310,167.00</u>
19	<u>Total Appropriation – Section 11</u>	<u>\$3,926,338.00</u>

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

(1) Renovations to the Vermont Building at the Eastern States

Exposition: \$1,500,000.00

(b) The sum of \$1,500,000.00 is appropriated in FY 2027 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for renovations to the Vermont Building at the Eastern States Exposition.

VT LEG #382306 v.1

No. 69, Sec. 12(b)(1) (Vermont Agriculture and Environmental Laboratory
Heat Plant, construction).

Appropriation – FY 2026 \$5,000,000.00

Appropriation – FY 2027 \$1,500,000.00

Total Appropriation – Section 12 \$6,500,000.00

Sec. 13. PUBLIC SAFETY

(a) The sum of \$2,000,000.00 is appropriated in FY 2026 to the
Department of Buildings and General Services for the Department of Public
Safety for Rutland Field Station.

(b) The following sums are appropriated in FY 2027 to the Department of
Buildings and General Services for the Department of Public Safety for the
following projects:

(1) Shaftsbury Field Station, land acquisition, planning, and design:

\$150,000.00

(2) Rutland Field Station:

\$2,000,000.00

Appropriation – FY 2026 \$2,000,000.00

Appropriation – FY 2027 \$2,150,000.00

Total Appropriation – Section 13 \$4,150,000.00

Sec. 14. JUDICIARY

The following sums are appropriated in FY 2026 to the Judiciary for the
following projects:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

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

Sec. 17. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

(1) of the amount appropriated in 2019 Acts and Resolves No. 42, Sec.
2(c)(5), as amended by 2020 Acts and Resolves No. 139, Sec. 1 (108 Cherry
Street, parking garage repairs): \$399,803.36

(2) of the amount appropriated in 2021 Acts and Resolves No. 50, Sec.
2(c)(18), as amended by 2022 Acts and Resolves No. 180, Sec. 2 (108
Cherry Street, parking garage repairs): \$37,519.86

(3) of the amount appropriated in in 2019 Acts and Resolves No. 42,
Sec. 13(a), as amended by 2020 Acts and Resolves No. 139, Sec. 9
(Middlesex Field Station): \$371.89

VT LEG #382306 v.1

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

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

7 (2) of the amount appropriated in 2017 Acts & Resolves No. 84, Sec.
8 11(m), as added by 2018 Acts and Resolves No. 190, Sec. 8 (Downtown
9 Transportation Fund pilot project): \$67,000.00

10 (c) The following sums appropriated to the Agency of Transportation
11 from prior capital appropriations are reallocated to defray expenditures
12 authorized in Secs. 2–16 of this act:

13 (1) of the amount appropriated in 2020 Acts and Resolves No. 139,
14 Sec. 12(b)(1) (Lamoille Valley Rail Trail): \$112.31

15 (2) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
16 11(c) (Municipal Mitigation Program): \$19,342.69

17 (3) of the amount appropriated in 2017 Acts and Resolves No. 84, Sec.
18 11(l)(2), as added by 2018 Acts and Resolves No. 190, Sec. 8 (Better Roads
19 Grant Program): \$41,238.46

20 (d) Of the amount appropriated to the Department of Buildings and
21 General Services in 2023 Acts and Resolves No. 69, Sec. 2(b)(4)

1 (Bennington, Battle Monument, construction of safety fencing), \$419,000.00
2 is reallocated to defray expenditures authorized in Sec. 4 of this act.

3 (e) Of the amount appropriated to the Agency of Agriculture, Food and
4 Markets in 2017 Acts and Resolves No. 84, Sec. 11(e)(1)(B), as added by
5 2018 Acts and Resolves No. 190, Sec. 8 (phosphorus removal equipment),
6 \$115,000.00 is reallocated to defray expenditures authorized in Secs. 2–16 of
7 this act.

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

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

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

1 (i) Of the amount appropriated from the Capital Infrastructure subaccount
2 of the Cash Fund for Capital and Essential Investments to the Department of
3 Buildings and General Services in 2024 Acts and Resolves No. 113, Sec.
4 B.1103(a)(9) and authorized in 2023 Acts and Resolves No. 69, Sec.
5 18(d)(10) (111 State Street; renovation of the stack area), \$200,000.00 is
6 reallocated to defray expenditures authorized in Sec. 19 of this act.

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

11 (1) 2017 Acts and Resolves No. 84, Sec. 13(b)(2), as added by 2018
12 Acts and Resolves No. 190, Sec. 10 (East Cottage); and

13 (2) 2019 Acts and Resolves No. 42, Sec. 2(b) (various projects).

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

19 (l) Notwithstanding 32 V.S.A. § 701a(c)(2), the Department of
20 Environmental Conservation may retain for the same purposes the

unexpended amounts not reallocated in this act that were appropriated in the
following capital construction acts:

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

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

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

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

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

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

Bonded Dollars \$5,074,938.48

Cash \$1,700,000.00

Total Reallocations and Transfers – Section 17 \$6,774,938.48

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21

(b) The State Treasurer is authorized to issue additional general obligation bonds in the amount of \$6,890,350.00 that were previously appropriated but unissued under 2023 Acts and Resolves No. 69, as amended by 2024 Acts and Resolves No. 162, for the purpose of funding the appropriations in this act.

Sec. 19. FY 2026 AND 2027; CAPITAL PROJECTS; FY 2026

14
15
16
17
18
19
20
21

(b) Intent. It is the intent of the General Assembly to authorize certain capital projects eligible for funding by 32 V.S.A. § 1001b in this act but appropriate the funds for these projects in the FY 2026 Appropriations Act. It is also the intent of the General Assembly that the FY 2026 Appropriations Act

1 appropriate funds to the Fund established in 32 V.S.A. § 1001b for projects in
2 FY 2027.

3 (c) Authorizations; Capital Infrastructure subaccount. In FY 2026,
4 spending authority for the following capital projects from the Capital
5 Infrastructure subaccount of the Cash Fund for Capital and Essential
6 Investments are authorized as follows:

7 (1) to the Department of Buildings and General Services for statewide
8 major maintenance: \$861,599.00

9 (2) to the Department of Buildings and General Services for statewide
10 planning, reuse, and contingency: \$250,000.00

11 (3) to the Department of Buildings and General Services for statewide
12 physical security enhancements: \$250,000.00

13 (4) to the Department of Buildings and General Services for State House
14 repointing: \$219,500.00

15 (5) to the Department of Buildings and General Services for an
16 uninterruptable power supply system for the Middlesex print and postal
17 facility: \$250,000.00

18 (6) to the Department of Buildings and General Services for the
19 Judiciary for renovations at the Windsor County Courthouse in White River
20 Junction: \$8,000,000.00

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

* * * Capital Budgeting Process* * *

* * *

1 (d)(1) On or before November 15 each year, the Commissioner of Finance
2 and Management shall require each entity to which spending authority has
3 been authorized by a capital construction act enacted in a legislative session
4 that was two or more years prior to the current legislative session to submit a
5 report on the current fund balances of each authorized project with unexpended
6 funds. The report shall include plans for the unexpended funds, any projects or
7 contracts the funds are assigned to, and an anticipated timeline for expending
8 the funds.

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

14 * * *

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

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

18 * * *

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

* * *

(2) Comprehensive cost and financing assessment.

(A) Amounts appropriated and expended for the current fiscal year and for the preceding fiscal year shall be indicated for capital programs and for individual projects. For the five fiscal years preceding these, the assessment shall include the aggregate amounts appropriated and expended for individual projects, which amounts shall be categorized by funding type and presented in a format that concisely displays the funding stream and project phases for each individual project over time. The assessment shall indicate further the source of funds for any project that required additional funding and a description of any authorized projects that were delayed.

* * *

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

§ 1001b. CASH FUND FOR CAPITAL AND ESSENTIAL INVESTMENTS

* * *

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

* * * Buildings and General Services * * *

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

Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services is authorized to survey, subdivide, and transfer to the Town of Waterbury the portion of land in the Waterbury State Office Complex (Parcel ID # 69622111909 as designated on the Town of Waterbury's Tax Parcel Maps) that is commonly referred to as the "Randall Meadow," provided that the Commissioner may transfer the Randall Meadow property only once:

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

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

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

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

Sec. 27. CAPITOL COMPLEX FLOOD RECOVERY; SPECIAL
COMMITTEE

* * *

(c) The Commissioner of Buildings and General Services shall provide quarterly updates to the Special Committee on the planning process for Capitol

* * *

1 The sum of \$100,000.00 is appropriated in FY 2025 to the Sergeant at Arms
2 for the following projects:

3 (1) the replacement of State House cafeteria furnishings; and

4 (2) the purchase and installation at the State House of an X-ray machine
5 designed to screen baggage.

6 * * * Effective Date * * *

7 Sec. 28. EFFECTIVE DATE

8 This act shall take effect on passage.