

1 H.494

2 An act relating to capital construction and State bonding

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

4 * * * Legislative Intent * * *

5 Sec. 1. LEGISLATIVE INTENT

6 (a) It is the intent of the General Assembly that of the \$111,965,288.44
7 authorized in this act, not more than \$61,614,761.44 shall be appropriated in
8 the first year of the biennium, and the remainder shall be appropriated in the
9 second year.

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

15 Sec. 2. STATE BUILDINGS

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

1	<u>(b) The following sums are appropriated in FY 2026:</u>	
2	<u>(1) Statewide, major maintenance:</u>	<u>\$7,138,401.00</u>
3	<u>(2) Statewide, three-acre parcel stormwater compliance:</u>	<u>\$1,500,000.00</u>
4	<u>(3) Statewide, Art in State Buildings Program:</u>	<u>\$75,000.00</u>
5	<u>(4) Rutland, Asa Bloomer Building roof repair and sewage system</u>	
6	<u>upgrades:</u>	<u>\$1,500,000.00</u>
7	<u>(5) Rutland, multimodal garage renovation:</u>	<u>\$600,000.00</u>
8	<u>(6) Middlesex, Print and Postal uninterruptable power supply upgrade:</u>	
9		<u>\$58,279.44</u>
10	<u>(7) Waterbury, State Office Complex historic core roof replacement:</u>	
11		<u>\$2,000,000.00</u>
12	<u>(8) Burlington, 32 Cherry St. parking garage repairs:</u>	<u>\$1,500,000.00</u>
13	<u>(c) The following sums are appropriated in FY 2027:</u>	
14	<u>(1) Statewide, major maintenance:</u>	<u>\$8,500,000.00</u>
15	<u>(2) Statewide, planning, reuse, and contingency:</u>	<u>\$250,000.00</u>
16	<u>(3) Statewide, physical security enhancements:</u>	<u>\$250,000.00</u>
17	<u>(4) Statewide, three-acre parcel stormwater compliance:</u>	<u>\$1,100,000.00</u>
18	<u>(5) Statewide, Art in State Buildings Program:</u>	<u>\$75,000.00</u>
19	<u>(6) Pittsford, Academy firing range upgrades:</u>	<u>\$200,000.00</u>
20	<u>(7) Montpelier, State House replacement of historic interior finishes:</u>	
21		<u>\$50,000.00</u>

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>

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

6	<u>Appropriation – FY 2026</u>	<u>\$8,225,000.00</u>
7	<u>Appropriation – FY 2027</u>	<u>\$4,800,000.00</u>
8	<u>Total Appropriation – Section 3</u>	<u>\$13,025,000.00</u>

9 Sec. 4. COMMERCE AND COMMUNITY DEVELOPMENT

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

12	<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$550,000.00</u>
13	<u>(2) Vermont Underwater Historic Preserves:</u>	<u>\$46,000.00</u>
14	<u>(3) Roadside historic site markers:</u>	<u>\$25,000.00</u>
15	<u>(4) Bennington, Battle Monument, maintenance of safety fencing,</u>	
16	<u>restoration, planning, and design:</u>	<u>\$525,000.00</u>

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

19	<u>(1) Major maintenance at statewide historic sites:</u>	<u>\$550,000.00</u>
20	<u>(2) Vermont Underwater Historic Preserves:</u>	<u>\$46,000.00</u>
21	<u>(3) Roadside historic site markers:</u>	<u>\$25,000.00</u>

1	<u>Appropriation – FY 2026</u>	<u>\$1,146,000.00</u>
2	<u>Appropriation – FY 2027</u>	<u>\$621,000.00</u>
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 Program: \$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 Program: \$300,000.00

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 Recreational Facilities Grant Program:

20 (5) To the Department of Buildings and General Services for the Human
21 Services and Educational Facilities Competitive Grant Program: \$300,000.00

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.

1	<u>No. 69, Sec. 12(b)(1) (Vermont Agriculture and Environmental Laboratory</u>	
2	<u>Heat Plant, construction).</u>	
3	<u>Appropriation – FY 2026</u>	<u>\$5,000,000.00</u>
4	<u>Appropriation – FY 2027</u>	<u>\$1,500,000.00</u>
5	<u>Total Appropriation – Section 12</u>	<u>\$6,500,000.00</u>

6 Sec. 13. PUBLIC SAFETY

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

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

13	<u>(1) Shaftsbury Field Station, land acquisition, planning, and design:</u>	
14		<u>\$150,000.00</u>
15	<u>(2) Rutland Field Station:</u>	<u>\$2,000,000.00</u>
16	<u>Appropriation – FY 2026</u>	<u>\$2,000,000.00</u>
17	<u>Appropriation – FY 2027</u>	<u>\$2,150,000.00</u>
18	<u>Total Appropriation – Section 13</u>	<u>\$4,150,000.00</u>

19 Sec. 14. JUDICIARY

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

1	<u>(1) Woodstock Courthouse, purchase and installation of backup power</u>	
2	<u>system:</u>	<u>\$100,000.00</u>
3	<u>(2) Essex County Courthouse connector and security upgrades:</u>	
4		<u>\$3,685,910.00</u>
5	<u>(3) Lamoille County Courthouse, purchase and installation of backup</u>	
6	<u>power system:</u>	<u>\$190,000.00</u>
7	<u>Appropriation – FY 2026</u>	<u>\$3,975,910.00</u>
8	<u>Total Appropriation – Section 14</u>	<u>\$3,975,910.00</u>
9	Sec. 15. VERMONT RURAL FIRE PROTECTION	
10	<u>(a) The sum of \$125,000.00 is appropriated in FY 2026 to the Department</u>	
11	<u>of Public Safety for the Vermont Rural Fire Protection Task Force for the dry</u>	
12	<u>hydrant program.</u>	
13	<u>(b) The sum of \$125,000.00 is appropriated in FY 2027 to the Department</u>	
14	<u>of Public Safety for the Vermont Rural Fire Protection Task Force for the</u>	
15	<u>project described in subsection (a) of this section.</u>	
16	<u>Appropriation – FY 2026</u>	<u>\$125,000.00</u>
17	<u>Appropriation – FY 2027</u>	<u>\$125,000.00</u>
18	<u>Total Appropriation – Section 12</u>	<u>\$250,000.00</u>

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

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

3 (1) 2017 Acts and Resolves No. 84, Sec. 11(f)(2)(A), as added by
4 2018 Acts and Resolves No. 190, Sec. 8 (Standard EcoSystem Restoration
5 and Protection programs);

6 (2) 2019 Acts and Resolves No. 42, Sec. 11(b) (pollution control); and

7 (3) 2019 Acts and Resolves No. 42, Sec. 10(a)(2) (dam safety and
8 hydrology projects).

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

13 (1) 2017 Acts and Resolves No. 84, Sec. 11(c) (Municipal Mitigation
14 Program); and

15 (2) 2017 Acts and Resolves No. 84, Sec. 11(l), as added by 2018 Acts
16 and Resolves No. 190, Sec. 8 (Municipal Mitigation Program).

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

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

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:

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(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.

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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.

