H.533

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:

~~* * * Capital Appropriations * * *~~

~~Sec. 1. LEGISLATIVE INTENT~~

~~(a) It is the intent of the General Assembly that of the $159,900,000.00 authorized in this act, no more than $89,636,551.00 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 a 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.

(b) The following sums are appropriated in FY 2014:

(1) Statewide, asbestos: $50,000.00

(2) Statewide, building reuse and planning: $75,000.00

(3) Statewide, contingency: $100,000.00

(4) Statewide, major maintenance: $8,103,379.00

(5) Statewide, BGS engineering and architectural project costs: $3,039,642.00

(6) Statewide, physical security enhancements: $200,000.00

(7) Burlington, 32 and 108 Cherry Street, HVAC and DDC controls upgrades and roof renovations: $250,000.00

(8) Montpelier, 133 State Street, foundation and parking lot restoration: $1,450,000.00

(9) Montpelier, capitol district heat plant:

(A) 122 State Street, construction: $2,500,000.00

~~(B) 120 State Street, Loading Dock, parking reconfiguration:~~

$400,000.00

(10) Southern State Correctional Facility, steamline replacement:

$600,000.00

(11) Southern State Correctional Facility, copper waterline replacement:

$400,000.00

(12) Montpelier, Capitol Complex Historic Preservation, major maintenance: $200,000.00

(13) NWSCF, roof and soffit replacement, A, B, and C wings:

$425,000.00

(14) Chittenden Regional Correctional Facility, HVAC upgrades:

$400,000.00

(15) Renovation and replacement of state-owned assets, Tropical Storm Irene:

(A) Vermont State Hospital, related projects: $8,700,000.00

(B) Waterbury State Office Complex: $21,200,000.00

(C) National Life: $4,100,000.00

(D) Notwithstanding subsection (a) of this section, allocations in this subdivision shall be used only to fund the projects described in this subdivision (15). However, if costs associated with these projects exceed the amount allocated in this subdivision, the Commissioner, in consultation with the Chairs

of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, may transfer funds from other projects in this section.

(E) For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subdivision (15) as soon as possible, it is the intent of the General Assembly that these are committed funds.

(F) A special committee consisting of the Joint Fiscal Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions ("Special Committee") is hereby established. If there are any material changes to the planning or funding of the Waterbury State Office Complex, the Special Committee shall meet to review and approve these changes at the next regularly scheduled meeting of the Joint Fiscal Committee or at an emergency meeting called by the Chairs of the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Fiscal Committee. The Special Committee shall be entitled to per diem and expenses as provided in 2 V.S.A. § 406.

(G) The Commissioner of Buildings and General Services shall notify the House Committee on Corrections and Institutions and the Senate Committee on Institutions at least monthly of updates to the planning process for the projects described in this subdivision (b)(15).

(H) As used in this subdivision (b)(15), a "material change" means a change to the planning or funding of the Waterbury State Office Complex that:

(i) increases the total project cost estimate by 10 percent; or

(ii) constitutes a change in plan or design.

(16) Barre, Barre Court, pellet boiler installation, supplement HVAC project: $329,000.00

(17) Laboratory, feasibility and governance study conducted by the Department of Buildings and General Services, the Agency of Natural Resources, and the Agency of Agriculture, Food and Markets (as described in Sec. 36 of this act): $100,000.00

(c) The following sums are appropriated in FY 2015:

(1) Statewide, asbestos and lead abatement: $50,000.00

(2) Statewide, building reuse and planning: $75,000.00

(3) Statewide, contingency: $100,000.00

(4) Statewide, major maintenance: $7,000,000.00

(5) Statewide, BGS engineering and architectural project costs: $3,039,642.00

(6) Statewide, physical security enhancements: $100,000.00

(7) Southern State Correctional Facility, steamline replacement: $600,000.00

(8) Southern State Correctional Facility, copper waterline replacement: $300,000.00

(9) Montpelier, Capitol Complex Historic Preservation, major maintenance: $200,000.00

(10) Renovation and replacement of state-owned assets, Tropical Storm Irene:

(A) Waterbury State Office Complex: $35,000,000.00

(B) For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subdivision (10) as soon as possible, it is the intent of the General Assembly that these are committed funds not subject to budget adjustment.

(d) It is the intent of the General Assembly that the Commissioner of Buildings and General Services may use up to $75,000.00 of the funds appropriated in subdivision (b)(4) of this section for the purpose of funding projects described in 2009 Acts and Resolves No. 43, Sec. 24(b), and in Sec. 42 of this act.

(e) It is the intent of the General Assembly to evaluate the suitability of the FY 2015 appropriation to the Department of Buildings and General Services for engineering costs in subdivision (c)(5) of this section.

Appropriation – FY 2014 $52,622,021.00

~~Appropriation – FY2015 $46,464,642.00~~

Total Appropriation – Section 2 $99,086,663.00

Sec. 3. ADMINISTRATION

The following sums are appropriated to the Department of Taxes for the Vermont Center for Geographic Information for an ongoing project to update statewide quadrangle maps through digital orthophotographic quadrangle mapping:

(1) $100,000.00 is appropriated in FY 2014.

(2) $100,000.00 is appropriated in FY 2015.

Total Appropriation – Section 3 $200,000.00

Sec. 4. HUMAN SERVICES

(a) The following sums are appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Human Services for the projects described in this subsection:

(1) Health laboratory, continuation of design, permitting, bidding, and construction phases for co-location of Department of Health laboratory with the UVM Colchester research facility:

$5,000,000.00

(2) Corrections, security upgrades: $100,000.00

(3) Corrections, facilities conditions analysis: $100,000.00

(b) The following sums are appropriated in FY 2015 to the Department of

~~Buildings and General Services for the Agency of Human Services for the~~ projects described in this subsection:

(1) Health laboratory, continuation of design, permitting, bidding, and construction phases for co-location of the Department of Health laboratory with the UVM Colchester research facility: $6,000,000.00

(2) Corrections, security upgrades: $100,000.00

(c) It is the intent of the General Assembly that the funds appropriated in subdivision (b)(1) of this section are committed funds not subject to budget adjustment.

(d) No later than January 15, 2014, the Department of Corrections and the Department of Buildings and General Services shall report to the General Assembly on capital needs at state correctional facilities. The report shall evaluate both five-year capital needs and shall include:

(1) a facilities conditions analysis;

(2) an assessment of space required for programming use;

(3) proposed unit configurations for the housing of aging and other special needs populations;

(4) a strategy for housing all Vermont inmates at instate correctional facilities and reducing recidivism rates;

(5) an estimate of the funding required to increase community capacity to meet capital needs; and

(6) an estimate of the funding required to increase capacity in state correctional facilities.

(e) The Commissioner of Buildings and General Services may use the funds appropriated to the Department of Buildings and General Services for the Agency of Human Services in subdivision (a)(3) of this section for the purpose described in subdivision (d)(1) of this section.

Appropriation – FY 2014	$5,200,000.00
Appropriation – FY 2015	$6,100,000.00
Total Appropriation – Section 4	$11,300,000.00

Sec. 5. JUDICIARY

(a) The sum of $1,000,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services on behalf of the Judiciary for the planning and design for building renovations and addition to the Lamoille County Courthouse in Hyde Park.

(b) The sum of $2,500,000.00 is appropriated in FY 2015 to continue the project described in subsection (a) of this section.

Total Appropriation – Section 5	$3,500,000.00

Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for the following projects:

(1) Major maintenance at historic sites statewide; provided such maintenance shall be under the supervision of the Department of Buildings and General Services: $200,000.00

(2) Bennington Monument, structural repairs and ADA compliance: $175,000.00

(b) The following sum is appropriated in FY 2015 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for major maintenance at historic sites statewide; provided such maintenance shall be under the supervision of the Department of Buildings and General Services: $200,000.00

(c) The following sums are appropriated in FY 2014 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: $25,000.00

(2) Placement and replacement of roadside historic site markers: $35,000.00

(d) The following sums are appropriated in FY 2015 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: $15,000.00

(2) Placement and replacement of roadside historic site markers: $15,000.00

Appropriation – FY 2014 $415,000.00

~~Appropriation – FY2015 $250,000.00~~

~~Total Appropriation – Section 6 $665,000.00~~

(c) The following sums are appropriated in FY 2014 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: $25,000.00

(2) Placement and replacement of roadside historic site markers: $15,000.00

(d) The following sums are appropriated in FY 2015 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: $35,000.00

(2) Placement and replacement of roadside historic site markers: $15,000.00

Sec. 7. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2014 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: $225,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: $225,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program the sum of which may be used to match funds that may be made available from the National Endowment of the Arts, provided that all capital funds are made available to the cultural facilities grant program: $225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: $225,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program: $225,000.00

(b) The following sum is appropriated in FY 2014 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: $200,000.00

(c) The following sums are appropriated in FY 2015 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: $225,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: $225,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made

available from the National Endowment of the Arts, provided that all capital funds are made available to the cultural facilities grant program: $225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: $225,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program: $225,000.00

(d) The following sum is appropriated in FY 2015 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: $200,000.00

Appropriation – FY 2014 $1,325,000.00

Appropriation – FY 2015 $1,325,000.00

Total Appropriation – Section 7 $2,650,000.00

Sec. 8. EDUCATION

(a) The sum of $6,704,634.00 is appropriated in FY 2014 to the Agency of Education for funding the state share of completed school construction projects pursuant to 16 V.S.A. § 3448.

(b) The sum of $10,411,446.00 is appropriated in FY 2015 to the Agency of Education for funding the state share of completed school construction projects pursuant to 16 V.S.A. § 3448. It is the intent of the General Assembly that these are committed funds not subject to budget adjustment.

Total Appropriation – Section 8 $17,116,080.00

Sec. 9. UNIVERSITY OF VERMONT

(a) The sum of $1,372,273.00 is appropriated in FY 2014 to the University of Vermont for construction, renovation, and major maintenance.

(b) The sum of $1,372,272.00 is appropriated in FY 2015 to the University of Vermont for construction, renovation, and major maintenance.

(c) It is the intent of the General Assembly to evaluate in the second year of the biennium the appropriate amount for future funding of this project.

Total Appropriation – Section 9 $2,744,545.00

Sec. 10. VERMONT STATE COLLEGES

(a) The sum of $1,372,273.00 is appropriated in FY 2014 to the Vermont State Colleges for construction, renovation, and major maintenance.

(b) The sum of $1,372,272.00 is appropriated in FY 2015 to the Vermont State Colleges for construction, renovation, and major maintenance.

(c) It is the intent of the General Assembly to evaluate in the second year of the biennium the appropriate amount for future funding of this project.

Total Appropriation – Section 10 $2,744,545.00

Sec. 11. NATURAL RESOURCES

(a) The following sums are appropriated to the Agency of Natural Resources in FY 2014 for:

(1) the Water Pollution Control Fund for the following projects:

(A) Clean Water State/EPA Revolving Loan Fund (CWSRF) match:

$1,381,600.00

(B) Principal associated with funding for the Pownal project: $500,000.00

(C) Administrative support – engineering, oversight, and program management: $300,000.00

(2) the Drinking Water Supply for the following projects:

(A) Drinking Water State Revolving Fund: $2,500,000.00

(B) Engineering, oversight, and project management: $300,000.00

(C) EcoSystem restoration and protection: $2,250,000.00

(D) Waterbury waste treatment facility for phosphorous removal: $3,200,000.00

(3) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: $2,000,000.00

(4) the Department of Fish and Wildlife: $1,000,000.00

(b) The following sums are appropriated to the Agency of Natural Resources in FY 2015 for:

(1) the Water Pollution Control Fund for the following projects:

(A) Clean Water State/EPA Revolving Loan Fund (CWSRF) match: $700,000.00

(B) Interest associated with delayed grant funding for the Pownal project: $30,000.00

(C) Springfield loan conversions: $78,000.00

(D) Administrative support – engineering, oversight, and program management: $300,000.00

(2) the Drinking Water Supply for the following projects:

(A) Drinking Water State Revolving Fund: $1,000,000.00

(B) Engineering, oversight, and project management: $300,000.00

(C) EcoSystem restoration and protection: $2,073,732.00

(3) dam safety and hydrology projects: $400,000.00

(4) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for statewide small-scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: $2,000,000.00

(5) the Department of Fish and Wildlife: $1,000,000.00

(c) It is the intent of the General Assembly to evaluate the suitability of the FY 2015 appropriations to the Agency of Natural Resources for engineering costs in subdivisions (b)(1)(D) and (b)(2)(B) of this section.

Appropriation – FY 2014 $13,431,600.00

Appropriation – FY 2015 $7,881,732.00

Total Appropriation – Section 11 $21,313,332.00

Sec. 12. MILITARY

(a) The sum of $750,000.00 is appropriated in FY 2014 to the Department of Military for land acquisition, new construction, maintenance, and renovations at state armories. To the extent feasible, these funds shall be used to match federal funds.

(b) The sum of $500,00.00 is appropriated in FY 2015 for the purpose described in subsection (a) of this section.

Total Appropriation – Section 12 $1,250,000.00

Sec. 13. PUBLIC SAFETY

(a) The sum of $3,000,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Department of Public Safety for the design, construction, and fit-up of a new public safety field station to consolidate the Brattleboro and Rockingham barracks. For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subsection as soon as possible, it is the intent of the General Assembly that these are committed funds.

(b) The sum of $3,100,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section. For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the project as soon as possible, it is the

intent of the General Assembly that these are committed funds not subject to budget adjustment.

(c) The sum of $550,000.00 is appropriated in FY 2014 to the Department Buildings and General Services for the Department of Public Safety to purchase land for public safety field stations and to conduct feasibility studies.

(d) The sum of $300,000.00 is appropriated in FY 2015 for the project described in subsection (c) of this section.

(e) The sum of $50,000.00 is appropriated in FY 2014 to the Department of Public Safety for the purchase of fire safety equipment for the Fire Service Training Center in Pittsford.

Appropriation – FY 2014	$3,600,000.00
Appropriation – FY 2015	$3,400,000.00
Total Appropriation – Section 13	$7,000,000.00

Sec. 14. AGRICULTURE, FOOD AND MARKETS

(a) The sum of $150,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for major maintenance costs at the Vermont Exposition Center Building in Springfield, Massachusetts.

(c) The sum of $1,700,000.00 is appropriated in FY 2015 to the Agency of Agriculture, Food and Markets for the conservation reserve enhancement program and the best management practice implementation cost share program

~~to continue to reduce nonpoint source pollution in Vermont. Cost share funds~~ for the best management practice implementation cost share program shall not exceed 90 percent of the total cost of a project. Whenever possible, state funds shall be combined with federal funds to complete projects.

Appropriation – FY 2014	$150,000.00
Appropriation – FY 2015	$1,700,000.00
Total Appropriation – Section 14	$1,850,000.00

Sec. 15. VERMONT PUBLIC TELEVISION

The sum of $205,750.00 is appropriated in FY 2014 to Vermont Public Television for the continuation of digital conversion and energy conservation retrofitting.

Appropriation – FY 2014	$205,750.00
Total Appropriation – Section 15	$205,750.00

Sec. 16. VERMONT RURAL FIRE PROTECTION

(a) The sum of $100,000.00 is appropriated in FY 2014 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force to continue the dry hydrant program.

(b) The sum of $100,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section.

Total Appropriation – Section 16	$200,000.00

Sec. 17. VERMONT VETERANS' HOME

(a) The sum of $1,000,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Vermont Veterans' Home for mold remediation, the development of a plan to address and prevent continued mold growth, and a facilities conditions analysis.

(b) The Commissioner of Buildings and General Services, in consultation with the Board of Trustees of the Veterans' Home, shall apply for federal funds to use as a match for the appropriation made in subsection (a) of this section and shall work with Vermont's Congressional Delegation to investigate the availability of other possible federal funding sources for ongoing mold remediation at the Veterans' Home. The Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the availability of federal funds and the status of a federal match to be used for the project described in subsection (a) of this section on or before July 31, 2013.

(c) On or before January 15, 2014, the Commissioner of Buildings and General Services, in consultation with the Board of Trustees of the Veterans' Home, shall contract with an independent third party to conduct a facilities conditions analysis of the Vermont Veterans' Home. *The independent third party shall review and consider the findings of the Veterans' Home management and operations review required by 2013 Acts and Resolves No. 1,*

~~*Sec. 53.1 when conducting the facilities conditions analysis. Upon completion of the facilities conditions analysis, the Commissioner of Buildings and General Services shall submit a copy of the analysis to the Veterans' Home Board of Trustees, the Vermont State Employees' Association (VSEA), the House Committee on Corrections and Institutions, and the Senate Committee on Institutions.*~~

Total Appropriation – Section 17 $1,000,000.00

Sec. 18. VERMONT INTERACTIVE TECHNOLOGIES

(a) The sum of $288,000.00 is appropriated in FY 2014 to the Vermont States Colleges for the Vermont Interactive Technologies for the purchase of equipment necessary for systems and unit upgrades at Vermont Interactive Technologies sites.

(b) The sum of $88,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section.

Appropriation – FY 2014	$288,000.00
Appropriation – FY 2015	$88,000.00
Total Appropriation – Section 18	$376,000.00

~~* * * Financing this Act * * *~~

Sec. 19. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

(a) The following sums are reallocated to the Department of Buildings and General Services from prior capital appropriations to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 1 (32 Cherry Street): $48,065.47

(2) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 1 (Rutland multimodal garage trench drains): $404.09

(3) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 3 (VSH ongoing safety): $96.98

(4) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 14 (two-way radio system): $12,579.71

(5) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (DMV bathroom renovations): $119,067.33

(6) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (engineer cost): $158,779.04

(7) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (116 State Street): $0.02

(8) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (Waterbury fuel tank replacement): $400,000.00

(9) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 7 (recreation grant program): $8,150.00

(10) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 7 (Human Service and Educational Grant): $2,515.61

(11) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 14(e) (architectural assessment, Middlesex): $6.80

(b) The following unexpended funds appropriated to the Agency of Natural Resources for capital construction projects are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 1989 Acts and Resolves No. 52, Sec. 8(b)(1) (water pollution): $9,426.24

(2) of the amount appropriated by 1990 Acts and Resolves No. 276, Sec. 10 (potable water supply construction): $17,430.00

(3) of the amount appropriated by 1991 Acts and Resolves No. 93, Sec. 11(d)(2) (water supply): $46,514.75

(4) of the amount appropriated by 1992 Acts and Resolves No. 256, Sec. 11(e)(1) (water pollution): $35,000.65

(5) of the amount appropriated by 1998 Acts and Resolves No. 148, Sec. 13(b)(2)(A) (pollution control): $72,513.80

(6) of the amount appropriated by 1998 Acts and Resolves No. 148, Sec. 13(b)(2)(A) (pollution control): $305,394.84

(7) of the amount appropriated by 2002 Acts and Resolves No. 61, Sec. 9(a) (various projects): $277,833.51

(8) of the amount appropriated by 2003 Acts and Resolves No. 63, Sec. 8 (water pollution/drinking): $118,725.81

(9) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (water pollution grants): $896.40

(10) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (clean and clear program): $44,447.91

(11) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (ecological assessments): $36.70

(12) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (species recovery plan): $3.90

(13) of the amount appropriated by 2005 Acts and Resolves No. 43, Sec. 9 (water pollution grants): $128,115.97

(14) of the amount appropriated by 2005 Acts and Resolves No. 43, Sec. 9 (clean and clear program): $135,500.37

(15) of the amount appropriated by 2006 Acts and Resolves No. 147, Sec. 10 (water pollution grants): $34,703.62

(16) of the amount appropriated by 2006 Acts and Resolves No. 147, Sec. 10 (clean and clear program): $40,686.00

(17) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (water pollution control): $35,000.00

(18) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (state-owned dams): $198,104.00

(19) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (clean and clear): $320,042.39

(20) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 12 (clean and clear): $92,906.23

(21) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 12 (water pollution): $87,967.95

(22) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 9 (water pollution control): $231,202.30

(23) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 9 (clean and clear): $515,957.62

(24) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (Drinking Water State Revolving Fund): $5,500.00

(25) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (water pollution control): $123,666.00

(26) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (clean and clear): $66,864.08

(27) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (lamprey project): $155, 898.60

(28) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 12(a) (water pollution control): $210,000.00

(29) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 12(a) (water pollution TMDL/wetland): $20,112.00

(30) of the amount appropriated by 2012 Acts and Resolves No. 40, Sec. 12(b) (drinking water projects): $35,483.32

(31) of the amount appropriated by 2012 Acts and Resolves No. 40, Sec. 12(b) (water pollution control): $472,239.85

(c) The following unexpended funds appropriated to the Agency of Commerce and Community Development for capital construction projects are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 7(e) (Unmarked Burial Fund): $18,928.00

(2) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 7(b)(1) (Unmarked Burial Fund): $24,769.00

(d) The following sums are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25(i) (sale of Thayer school): $433,478.30

(2) of the amount recouped by the state for waterfront enhancement authorized by 1993 Acts and Resolves No. 59, Sec. 16d(c) (special fund 21896, Waterfront Preservation Fund): $190,000.00

(3) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25(d) (sale of former North American Playcare, Inc. building in Middlesex): $132,040.88

(4) of the proceeds from the sale of property authorized by 20 V.S.A. § 542 (Northfield, Ludlow, and Rutland armories): $311,539.21

Total Reallocations and Transfers – Section 19 $5,698,595.35

Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) The State Treasurer is authorized to issue general obligation bonds in the amount of $159,900,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this

~~section and for which bonding is required as the source of funds, pursuant to~~ 32 V.S.A. § 954.

(b) The State Treasurer is further authorized to issue additional general obligation bonds in the amount of $7,603,320.00 that were previously authorized but unissued under 2011 Acts and Resolves No. 40, Sec. 25 for the purpose of funding the appropriations of this act. This amount shall be allocated to the Department of Buildings and General Services to defray expenditures in Sec. 2 of this act.

Total Revenues – Section 20 $167,503,320.00

* * * Policy * * *

* * * Buildings and General Services * * *

Sec. 21. REPEAL; ROBERT GIBSON PARK; TOWN OF BRATTLEBORO

1999 Acts and Resolves No. 29, Sec. 19(b)(1)(C)(i) (repayment of appropriation for Robert Gibson Park) is repealed.

Sec. 22. 2012 Acts and Resolves No. 104, Sec. 25 is amended to read:

Sec. 25. EMPLOYEE SERVICE MEMORIAL

(a) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services, in consultation with the ~~commissioner of human resources~~ Commissioner of Human Resources and an association representing Vermont state employees, shall develop a plan to honor the services of past, present, and future Vermont state employees with an

~~appropriate memorial. On or before January 15, 2013~~ 2014, ~~the commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall recommend a future location for an employee service memorial and provide estimated costs to the ~~general assembly~~ General Assembly.

(b) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services may accept donations for the administration, materials, creation, and maintenance of the service memorial.

Sec. 23. ST. ALBANS STATE OFFICE BUILDING

It is the intent of the General Assembly that the Commissioner of Buildings and General Services shall evaluate the potential sale of the state office building at 20 Houghton Street in St. Albans on or before July 31, 2013.

Sec. 24. 29 V.S.A. § 165 is amended to read:

§ 165. SPACE ALLOCATION, INVENTORY, AND USE; LEASING PROPERTY; COMMISSIONER'S PREAPPROVAL REQUIRED

* * *

(d) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall by rule establish procedures which all agencies shall follow in the leasing of real property. No agency shall enter into any lease, no lease shall be valid, and no state funds shall be paid by the ~~department of finance and management~~ Department of Finance and Management pursuant to the terms of any lease, unless the proposed lease has been pre-approved by the ~~commissioner of buildings and general services~~

~~Commissioner of Buildings and General Services. If a lease is entered into~~ pursuant to this section, the Commissioner of Buildings and General Services shall preapprove any additional fees, reimbursements, charges, or fit-up costs in excess of the proposed lease rental rate.

Sec. 25. SPECIAL FUND FOR WATERFRONT

Notwithstanding 1993 Acts and Resolves No. 59, Sec. 16d(c), the funds allocated to the special fund for waterfront to be used for the purpose of waterfront enhancement and preservation are transferred to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act.

Sec. 26. 2011 Acts and Resolves No. 40, Sec. 12(b), as amended by 2012 Acts and Resolves No. 104, Sec. 8, is amended to read:

(b) The following sums are appropriated to the ~~agency of natural resources~~ Agency of Natural Resources in FY 2013 for:

* * *

~~(E)~~(6) the ~~department of forests, parks and recreation~~ Department of Forests, Parks and Recreation for the Vermont Youth Conservation Corps to perform stabilization, restoration, and cleanup of environmental damage to waterways, forests, and public access lands caused by Tropical Storm Irene, including projects such as controlling the spread of invasive species, stabilizing flood-eroded river and stream banks; restoring vital aquatic and wildlife

~~habitats, removing toxic materials from fragile natural areas, and remediating~~ recognized viewsheds: 200,000

* * *

** * * Commerce and Community Development * * **

Sec. 26a. REGIONAL ECONOMIC DEVELOPMENT GRANT PROGRAM

(a) The Commissioner of Buildings and General Services, in consultation with the Secretary of Commerce and Community Development and the Regional Development Corporations of Vermont, shall evaluate the goals and administration of the Regional Economic Development Grant Program set out in 24 V.S.A. § 5607, whether the grants are being awarded to projects appropriately for the purpose of funding capital expenses, and whether catastrophic situations should qualify for grants.

(b) On or before September 15, 2013, the Commissioner of Buildings and General Services shall report to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs with the results of the evaluation.

* * * Agency of Agriculture, Food and Markets * * *

Sec. 27. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

If additional support is required for the Best Management Practice Implementation Cost-Share Program and the Conservation Reserve Enhancement Program in FY 2014, the Secretary of Agriculture, Food and Markets is authorized to use as funding prior capital fund appropriations for these programs to the Agency of Agriculture, Food and Markets.

Sec. 28. AGRICULTURE; REALLOCATION

Of the amount held in the Eastern States Building Special Fund #21682, it the intent of the General Assembly that the Agency of Agriculture, Food and Markets shall redirect the sum of $135,000.00 in FY 2014 to the Department of Buildings and General Services for major maintenance at the Vermont Exposition Center Building in Springfield, Massachusetts.

* * * Capital Planning and Finance * * *

Sec. 29. 29 V.S.A. § 152 is amended to read:

§ 152. DUTIES OF COMMISSIONER

(a) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services, in addition to the duties expressly set forth elsewhere by law, shall have the authority to:

* * *

(3) Prepare or cause to be prepared plans and specifications for construction and repair on all state-owned buildings:

~~(A) For which the legislature General Assembly or the emergency board~~ Emergency Board has made specific appropriations. In consultation with the department or agency concerned, the ~~commissioner~~ Commissioner shall select sites, purchase lands, determine plans and specifications, and advertise for bids for the furnishing of materials and construction thereof and of appurtenances thereto. The ~~commissioner~~ Commissioner shall determine the time for beginning and completing the construction. Any change orders occurring under the contracts let as the result of actions previously mentioned in this section shall not be allowed unless they have the approval of the ~~secretary of administration~~ Secretary of Administration.

(B) For which no specific appropriations have been made by the ~~legislature~~ General Assembly or the ~~emergency board~~ Emergency Board. The ~~commissioner~~ Commissioner may, with the approval of the ~~secretary of administration~~ Secretary of Administration acquire an option, for a price not to exceed $75,000.00, on an individual property without prior legislative approval, provided the option contains a provision stating that purchase of the property shall occur only upon the approval of the ~~general assembly~~ General Assembly and the appropriation of funds for this purpose. The ~~state treasurer~~ State Treasurer is authorized to advance a sum not to exceed $75,000.00, upon warrants drawn by the ~~commissioner of finance and management~~

~~Commissioner of Finance and Management for the purpose of purchasing an~~ option on a property pursuant to this subdivision.

(C) For which the Department of Buildings and General Services is granted a right of first refusal. The Commissioner may, with the approval of the Secretary of Administration, enter into an agreement that grants the Department of Buildings and General Services a right of first refusal to purchase property, provided that the right of first refusal contains a provision stating that the purchase of the property shall occur only upon the approval of the General Assembly.

* * *

(23) With the approval of the ~~secretary of administration~~ Secretary of Administration, transfer during any fiscal year to the ~~department of buildings and general services~~ Department of Buildings and General Services for use only for major maintenance within the capitol complex in Montpelier, any unexpended balances of funds appropriated in any capital construction act for any ~~executive or judicial branch~~ Executive or Judicial Branch project, excluding any appropriations for state grant-in-aid programs, which is completed or substantially completed as determined by the ~~commissioner~~ Commissioner. On or before January 15 of each year, the ~~commissioner~~ Commissioner shall report to the ~~house committee on corrections and institutions and the senate committee on institutions~~ House Committee on

~~Corrections and Institutions and the Senate Committee on Institutions~~ regarding~~:~~

~~(A)~~ all transfers and expenditures made pursuant to this subdivision (23)~~; and~~

~~(B) the unexpended balance of projects completed for two or more years~~.

* * *

Sec. 30. 32 V.S.A. § 310 is amended to read:

§ 310. FORM OF ANNUAL CAPITAL BUDGET AND ~~SIX-YEAR~~ TEN-YEAR CAPITAL PROGRAM PLAN

(a) Each biennial capital budget request submitted to the ~~general assembly~~ General Assembly shall be accompanied by, and placed in the context of, a ~~six-year~~ ten-year state capital program plan to be prepared, and revised annually, by the ~~governor~~ Governor and approved by the ~~general assembly~~ General Assembly. The ~~six-year~~ ten-year plan shall include a list of all projects which will be recommended for funding in the current and ensuing ~~five~~ nine fiscal years. The list shall be prioritized based on need.

(b) The capital budget request for the following ~~fiscal year~~ biennium shall be presented as the next increment of the ~~six-year~~ ten-year plan. Elements of the plan shall include:

(1) Assessment and projection of need.

~~(A) Capital needs and projections shall be based upon current and~~ projected statistics on capital inventories and upon state demographic and economic conditions.

(B) Capital funding shall be categorized as follows:

(i) state buildings, facilities, ~~and~~ land acquisitions, major maintenance, renewable energy sources, and conservation;

(ii) higher education;

(iii) aid to municipalities for education, environmental conservation, including water, sewer, and solid waste projects, and other purposes; and

(iv) transportation facilities.

(C) The capital needs and projections shall be for the current and the next ~~five~~ nine fiscal years, with longer-term projections presented for programs with reasonably predictable longer-term needs.

(D) Capital needs and projections shall be presented independently of financing requirements or opportunities.

(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. The assessment shall indicate further the source of funds

~~for any project which required additional funding and a description of any~~ authorized projects which were delayed.

(B) Amounts proposed to be appropriated for the following fiscal year and each of the ~~five~~ nine years thereafter shall be indicated for capital programs and for individual projects and shall be revised annually to reflect revised cost estimates and changes made in allocations due to project delays.

(C) The capital costs of programs and of individual projects, including funds for the development and evaluation of each project, shall be presented in full, for the entire period of their development.

(D) The operating costs, both actual and prospective, of capital programs and of individual projects shall be presented in full, for the entire period of their development and expected useful life.

(E) The financial burden and funding opportunities of programs and of individual projects shall be presented in full, including federal, state, and local government shares, and any private participation.

(F) Alternative methods of financing capital programs and projects should be described and assessed, including debt financing and use of current revenues.

Sec. 31. TEN-YEAR CAPITAL PROGRAM PLAN

On or before January 15, 2014, the Commissioner of Buildings and General Services, in consultation with the House Committee on Corrections and

~~Institutions and the Senate Committee on Institutions, shall develop a proposal~~ for the planning process for a ten-year capital program plan. The ten-year capital program plan shall include proposals for capital construction requests and major maintenance, and shall set forth definitions and criteria to be used for prioritizing capital projects. Projects may be prioritized based on criteria including: critical priorities, prior capital allocations or commitments, strategic investments, and future investments.

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

§ 701a. CAPITAL CONSTRUCTION BILL

(a) When the capital budget has been submitted by the ~~governor~~ Governor to the ~~general assembly~~ General Assembly, it shall immediately be referred to the ~~committee on corrections and institutions~~ Committee on Corrections and Institutions which shall proceed to consider the budget request in the context of the ~~six-year~~ ten-year capital program plan also submitted by the ~~governor~~ Governor pursuant to sections 309 and 310 of this title. The ~~committee~~ Committee shall also propose to the ~~general assembly~~ General Assembly a prudent amount of total general obligation bonding for the following fiscal year, for support of the capital budget, in consideration of the recommendation of the ~~capital debt affordability advisory committee~~ Capital Debt Affordability Advisory Committee pursuant to subchapter 8 of chapter 13 of this title.

~~(b) As soon as possible, the committee Committee shall prepare a bill to be~~ known as the "capital construction bill," which shall be introduced for action by the ~~general assembly~~ General Assembly.

(c) The spending authority authorized by a capital construction act shall carry forward until expended, unless otherwise provided. ~~Any unencumbered funds remaining after a two-year period~~ All unexpended funds remaining for projects authorized by capital construction acts enacted in a legislative session that was two or more years prior to the current legislative session shall be reported to the ~~general assembly~~ General Assembly and may be reallocated in future capital construction acts.

(d) On or before October 15, each entity to which spending authority ~~is~~ has been authorized by a capital construction act enacted in a legislative session that was two or more years prior to the current legislative session shall submit to the ~~department of buildings and general services~~ Department of Buildings and General Services a report on the status of each authorized project ~~authorized~~ with unexpended funds. The report shall follow the form provided by the ~~department of buildings and general services~~ Department of Buildings and General Services and shall include details regarding how much of the appropriation has been spent, how much of the appropriation is unencumbered, actual progress in meeting the goals of the project, and any impediments to completing the project on time and on budget. The ~~department~~ Department

~~may request additional or clarifying information regarding each project. On or~~ before January 15, the ~~department~~ Department shall present the information collected to the ~~house committee on corrections and institutions and the senate committee on institutions~~ House Committee on Corrections and Institutions and the Senate Committee on Institutions.

Sec. 33. AVAILABILITY OF APPROPRIATIONS

Notwithstanding 32 V.S.A. § 1 (fiscal year to commence on July 1 and end on June 30), the appropriations in this act designated as FY 2014 shall be available upon passage of this act, and those designated as FY 2015 shall be available upon passage of the Capital Construction and State Bonding Budget Adjustment Act of the 2014 legislative session.

Sec. 34. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

The Commissioner of Buildings and General Services, in consultation with the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, is authorized to use funds appropriated in this act for capital projects requiring additional support that were funded with capital or general fund appropriations in prior years.

* * * Human Services * * *

Sec. 35. SECURE RESIDENTIAL FACILITY

Pursuant to the Level 1 Psychiatric Care Evaluation required by the Fiscal Year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings

~~and General Services shall develop a proposal to establish a permanent secure~~ residential facility no later than January 15, 2014.

* * * Natural Resources * * *

Sec. 36. LABORATORY FEASIBILITY STUDY

No later than December 15, 2013, the Department of Buildings and General Services, the Agency of Natural Resources, and the Agency of Agriculture, Food and Markets shall examine and report to the General Assembly on the feasibility of sharing the same laboratory, exploring relationships with the University of Vermont and the Vermont State Colleges system, or other public or private entities, and determining what specialized services may be sold within the Northeast region to fulfill state and regional laboratory needs. This report shall include a cost-benefit analysis and a governance model.

Sec. 37. 24 V.S.A. § 4763b is amended to read:

§ 4763b. LOANS TO INDIVIDUALS FOR FAILED WASTEWATER SYSTEMS AND FAILED POTABLE WATER SUPPLIES

(a) Notwithstanding any other provision of law, when the wastewater system or potable water supply serving only one single-family residence on its own lot meets the definition of a failed supply or system, the ~~secretary of natural resources~~ Secretary of Natural Resources may lend monies to the owner of the residence from the Vermont ~~wastewater and potable water revolving loan fund~~ Wastewater and Potable Water Revolving Loan Fund

~~established in section 4753 of this title. In such cases, the following conditions~~ shall apply:

(1) loans may only be made to households with an income equal to or less than 200 percent of the state average median household income;

(2) loans may only be made to households where the recipient of the loan resides in the residence on a year-round basis;

(3) loans may only be made if the owner of the residence has been denied financing for the repair, replacement, or construction due to involuntary disconnection by at least ~~two~~ one other financing ~~entities~~ entity;

(4) no construction loan shall be made to an individual under this subsection, nor shall any part of any revolving loan made under this subsection be expended, until all of the following take place:

(A) the ~~secretary of natural resources~~ Secretary of Natural Resources determines that if a wastewater system and potable water supply permit is necessary for the design and construction of the project to be financed by the loan, the permit has been issued to the owner of the failed system or supply; and

(B) the individual applying for the loan certifies to the ~~secretary of natural resources~~ Secretary of Natural Resources that the proposed project has secured all state and federal permits, licenses, and approvals necessary to construct and operate the project to be financed by the loan~~.~~;

~~(5) all funds from the repayment of loans made under this section shall~~ be deposited into the Vermont ~~wastewater and potable water revolving loan fund~~ Wastewater and Potable Water Revolving Loan Fund.

(b) The ~~secretary of natural resources~~ Secretary of Natural Resources shall establish standards, policies, and procedures as necessary for the implementation of this section. The ~~secretary~~ Secretary may establish criteria to extend the payment period of a loan or to waive all or a portion of the loan amount.

* * * Labor * * *

Sec. 38. PREVAILING WAGE STUDY COMMITTEE

(a) The Commissioner of Labor, in consultation with the Commissioner of Buildings and General Services, the Vermont Building and Construction Trades Council, and the Associated General Contractors of Vermont, Inc., shall evaluate:

(1) the effectiveness of Vermont's prevailing wage statute, 29 V.S.A. § 161; and

(2) the effectiveness and costs of other northeastern states' prevailing wage statutes in comparison to Vermont's prevailing wage statute.

(b) Pursuant to the evaluation described in subsection (a) of this section, the Commissioner of Labor shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on or

~~before December 15, 2013 with recommendations as to how to improve~~ Vermont's prevailing wage statute and increase enforcement based on other states' practices.

* * * Military Department * * *

Sec. 39. 20 V.S.A. § 542 is amended to read:

§ 542. ACQUISITION, MAINTENANCE, AND DISPOSAL OF PROPERTY FOR THE NATIONAL GUARD USE

In the name of the ~~state~~ State, the ~~board~~ Board shall be responsible for the real estate and personal property of the ~~national guard~~ National Guard. The ~~board~~ Board may acquire or purchase, and maintain and dispose of by sale or otherwise real estate and personal property. Upon determination by the ~~board~~ Board that real estate is to be disposed of, the disposal shall be at fair market value, and proceeds shall be allocated to future capital ~~appropriations~~ construction acts.

* * * Education * * *

Sec. 40. STATE AID FOR SCHOOL CONSTRUCTION; EXTENSION OF SUSPENSION

(a) In 2007 Acts and Resolves No. 52, Sec. 36, the General Assembly suspended state aid for school construction in order to permit the Secretary of Education and the Commissioner of Finance and Management to recommend a sustainable plan for state aid for school construction.

(b) In 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts and Resolves No. 54, Sec. 22, the General Assembly, in the absence of a recommendation, extended the suspension until a sustainable plan for state aid for school construction is developed and adopted.

(c) State aid remains suspended pursuant to the terms of 2008 Acts and Resolves No. 200, Sec. 45 as amended by 2009 Acts and Resolves No. 54, Sec. 22.

(d) Notwithstanding the suspension, the State intends to honor its obligation by FY 2016 to pay for projects for which state aid had been committed prior to the suspension.

* * * Public Safety * * *

Sec. 41. PUBLIC SAFETY FIELD STATION PROJECT

The Department of Buildings and General Services, in consultation with the Department of Public Safety, is authorized to use appropriations in Sec. 13 of this act to conduct feasibility studies, and identify and purchase land for future public safety field station sites. If the Department of Buildings and General Services proposes to purchase property when the General Assembly is not in session, the Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of the proposal.

~~* * * Energy Use on State Properties * * *~~

Sec. 42. RENEWABLE ENERGY AND ENERGY CONSERVATION POLICY

(a) The Department of Buildings and General Services shall incorporate the use of renewable energy sources, energy efficiency, and thermal energy conservation in any new building construction or major renovation project in excess of $250,000.00 unless a life cycle cost analysis demonstrates that the investment cannot be recouped.

(b) On or before January 15, 2014, the Department of Buildings and General Services shall contract for a desk audit to examine and report on the feasibility of installing renewable energy devices on up to 20 properties owned by the State.

(c) As used in this section, the "life cycle cost" of each new building construction or major renovation project shall be based on the life cycle cost guidelines established by the Department of Buildings and General Services for use in all state buildings for state agency energy planning purposes.

Sec. 43. 29 V.S.A. § 171 is added to read:

§ 171. ENERGY REVOLVING MANAGEMENT FUND

(a) There is established an Energy Revolving Management Fund within the capital construction act to provide funding for capital projects. The Fund shall be administered by the Department of Buildings and General Services.

(b) The Fund shall consist of:

(1) monies appropriated in each capital construction act to agencies and departments for designated projects to be funded through the Fund; and

(2) monies saved by the implementation of resource management conservation measures.

(c) The Commissioner of Buildings and General Services shall establish criteria to determine eligibility for funding of resource conservation measures.

(d) Agencies and departments receiving funding shall repay the monies saved by the implementation of resource management conservation measures to the Fund through their regular operating budgets according to a schedule established by the Commissioner of Buildings and General Services and the Commissioner of Finance and Management. Repayment shall include charges of fees for administrative costs over the term of the repayment.

(e) All balances remaining in the Fund at the end of a fiscal year shall be carried forward to the following year. Any savings incurred from the investment in projects funded through the Fund shall be reallocated for use in future capital construction acts.

(f) On or before January 15 of each year, the Commissioner of Buildings and General Services shall report to the General Assembly on the Fund's use and capitalization.

~~Sec. 44. ENERGY REVOLVING MANAGEMENT FUND~~

~~APPROPRIATIONS~~

~~Pursuant to 29 V.S.A. § 171, the amounts appropriated to the Department of Buildings and General Services in Sec. 2(b)(7), (b)(14), and (b)(16) of this act shall be deposited into the Energy Revolving Management Fund and the projects shall be funded through the Fund.~~

Sec. 45. EFFECTIVE DATE

~~This act shall take effect on passage.~~

** * * Capital Appropriations * * **

Sec. 1. LEGISLATIVE INTENT

(a) It is the intent of the General Assembly that of the $159,900,000.00 authorized in this act, no more than $90,373,066.00 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 a 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.

(b) The following sums are appropriated in FY 2014:

(1) Statewide, asbestos: *$50,000.00*

(2) Statewide, building reuse and planning: *$75,000.00*

(3) Statewide, contingency: *$100,000.00*

(4) Statewide, major maintenance: *$8,000,000.00*

(5) Statewide, BGS engineering and architectural project costs: *$2,982,132.00*

(6) Statewide, physical security enhancements: *$200,000.00*

(7) Burlington, 32 and 108 Cherry Street, HVAC and DDC controls upgrades and roof renovations: *$250,000.00*

(8) Montpelier, 133 State Street, foundation and parking lot restoration: *$1,450,000.00*

(9) Montpelier, capitol district heat plant:

(A) 122 State Street, construction: *$2,500,000.00*

(B) 120 State Street, Loading Dock, parking reconfiguration:

$400,000.00

(10) Southern State Correctional Facility, steamline replacement:

$600,000.00

(11) Southern State Correctional Facility, copper waterline replacement: $400,000.00

(12) Montpelier, Capitol Complex Historic Preservation, major maintenance: $200,000.00

(13) NWSCF, roof and soffit replacement, A, B, and C wings:

$425,000.00

(14) Chittenden Regional Correctional Facility, HVAC upgrades:

$400,000.00

(15) Renovation and replacement of state-owned assets, Tropical Storm Irene:

(A) Vermont State Hospital, related projects: $8,700,000.00

(B) Waterbury State Office Complex: $21,200,000.00

(C) National Life: $4,100,000.00

(D) Notwithstanding subsection (a) of this section, allocations in this subdivision shall be used only to fund the projects described in this subdivision (15). However, if costs associated with these projects exceed the amount allocated in this subdivision, the Commissioner, in consultation with the

Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, may transfer funds from other projects in this section.

(E) For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subdivision (15) as soon as possible, it is the intent of the General Assembly that these are committed funds.

(F) A special committee consisting of the Joint Fiscal Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions ("Special Committee") is hereby established. If there are any material changes to the planning or funding of the Waterbury State Office Complex, the Special Committee shall meet to review and approve these changes at the next regularly scheduled meeting of the Joint Fiscal Committee or at an emergency meeting called by the Chairs of the House Committee on Corrections and Institutions, the Senate Committee on Institutions, and the Joint Fiscal Committee. The Special Committee shall be entitled to per diem and expenses as provided in 2 V.S.A. § 406.

(G) The Commissioner of Buildings and General Services shall notify the House Committee on Corrections and Institutions and the Senate Committee on Institutions at least monthly of updates to the planning process for the projects described in this subdivision (b)(15).

(H) As used in this subdivision (b)(15), a "material change" means a change to the planning or funding of the Waterbury State Office Complex that:

(i) increases the total project cost estimate by 10 percent; or

(ii) constitutes a change in plan or design.

(16) Barre, Barre Court, pellet boiler installation, supplement HVAC project: $329,000.00

(17) Laboratory, feasibility and governance study conducted by the Department of Buildings and General Services, the Agency of Natural Resources, and the Agency of Agriculture, Food and Markets (as described in Sec. 41 of this act): $100,000.00

(c) The following sums are appropriated in FY 2015:

(1) Statewide, asbestos and lead abatement: $50,000.00

(2) Statewide, building reuse and planning: $75,000.00

(3) Statewide, contingency: $100,000.00

(4) Statewide, major maintenance: $8,334,994.00

(5) Statewide, BGS engineering and architectural project costs: $2,982,132.00

(6) Statewide, physical security enhancements: $100,000.00

(7) Southern State Correctional Facility, steamline replacement: $600,000.00

(8) Southern State Correctional Facility, copper waterline replacement: $300,000.00

(9) Montpelier, Capitol Complex Historic Preservation, major maintenance: $200,000.00

(10) Renovation and replacement of state-owned assets, Tropical Storm Irene:

(A) Waterbury State Office Complex: $33,000,000.00

(B) For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subdivision (10) as soon as possible, it is the intent of the General Assembly that these are committed funds not subject to budget adjustment.

(d) It is the intent of the General Assembly that the Commissioner of Buildings and General Services may use up to $75,000.00 of the funds appropriated in subdivision (b)(4) of this section for the purpose of funding projects described in 2009 Acts and Resolves No. 43, Sec. 24(b), and in Sec. 49 of this act. It is also the intent of the General Assembly that the Commissioner of Buildings and General Services may use up to $360,000.00 of the funds appropriated in subdivisions (b)(5) and (c)(5) of this section for the purpose of funding four limited service positions in the Department of Buildings and

General Services created for engineering-related work pursuant to the 2013 Acts and Resolves No. [ ], Sec. E.100(b)(1) (FY 2014 Appropriations Act).

(e) It is the intent of the General Assembly to review the proposal submitted by the Commissioner of Finance and Management pursuant to Sec. 39 of this act and evaluate the suitability of the FY 2015 appropriation to the Department of Buildings and General Services for engineering costs in subdivision (c)(5) of this section.

Appropriation – FY 2014	*$52,461,132.00*
Appropriation – FY2015	*$45,742,126.00*
Total Appropriation – Section 2	*$98,203,258.00*

Sec. 3. ADMINISTRATION

The following sums are appropriated to the Department of Taxes for the Vermont Center for Geographic Information for an ongoing project to update statewide quadrangle maps through digital orthophotographic quadrangle mapping:

(1) $100,000.00 is appropriated in FY 2014.

(2) $100,000.00 is appropriated in FY 2015.

Total Appropriation – Section 3	*$200,000.00*

Sec. 4. HUMAN SERVICES

(a) The following sums are appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Human Services for the

projects described in this subsection:

(1) Health laboratory, continuation of design, permitting, bidding, and construction phases for co-location of Department of Health laboratory with the UVM Colchester research facility: $5,000,000.00

(2) Corrections, security upgrades: $100,000.00

(3) Corrections, facilities conditions analysis: $100,000.00

(b) The following sums are appropriated in FY 2015 to the Department of Buildings and General Services for the Agency of Human Services for the projects described in this subsection:

(1) Health laboratory, continuation of design, permitting, bidding, and construction phases for co-location of the Department of Health laboratory with the UVM Colchester research facility: $6,000,000.00

(2) Corrections, security upgrades: $100,000.00

(c) It is the intent of the General Assembly that the funds appropriated in subdivision (b)(1) of this section are committed funds not subject to budget adjustment.

(d) On or before January 15, 2014, the Department of Corrections and the Department of Buildings and General Services shall report to the General Assembly on capital needs at state correctional facilities. The report shall evaluate five-year capital needs and shall include:

(1) a facilities conditions analysis;

(2) an assessment of space and capacity at Vermont state correctional facilities required for programming use; and

(3) proposed unit configurations for the housing of aging and other special needs populations.

(e) The Commissioner of Buildings and General Services shall use the funds appropriated to the Department of Buildings and General Services for the Agency of Human Services in subdivision (a)(3) of this section for the purpose described in subdivision (d)(1) of this section.

Appropriation – FY 2014	*$5,200,000.00*
Appropriation – FY 2015	*$6,100,000.00*
Total Appropriation – Section 4	*$11,300,000.00*

Sec. 5. JUDICIARY

(a) The sum of $1,000,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services on behalf of the Judiciary for the planning and design for building renovations and addition to the Lamoille County Courthouse in Hyde Park.

(b) The sum of $2,500,000.00 is appropriated in FY 2015 to continue the project described in subsection (a) of this section.

Total Appropriation – Section 5	*$3,500,000.00*

Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

(a) The following sums are appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for the following projects:

(1) Major maintenance at historic sites statewide; provided such maintenance shall be under the supervision of the Department of Buildings and General Services: $200,000.00

(2) Bennington Monument, structural repairs and ADA compliance: $175,000.00

(b) The following sums are appropriated in FY 2014 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: $25,000.00

(2) Placement and replacement of roadside historic site markers: $15,000.00

(c) The following sum is appropriated in FY 2014 to the Department of Buildings and General Services for the Battle of Cedar Creek and Winchester Memorials, relocation and placement of roadside marker: $25,000.00

(d) The following sum is appropriated in FY 2015 to the Department of Buildings and General Services for the Agency of Commerce and Community Development for major maintenance at historic sites statewide; provided such

maintenance shall be under the supervision of the Department of Buildings and General Services: *$200,000.00*

(e) The following sums are appropriated in FY 2015 to the Agency of Commerce and Community Development for the following projects:

(1) Underwater preserves: *$35,000.00*

(2) Placement and replacement of roadside historic site markers: *$15,000.00*

Appropriation – FY 2014 *$440,000.00*

Appropriation – FY 2015 *$250,000.00*

Total Appropriation – Section 6 *$690,000.00*

Sec. 7. GRANT PROGRAMS

(a) The following sums are appropriated in FY 2014 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: *$225,000.00*

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: *$225,000.00*

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made

available from the National Endowment of the Arts, provided that all capital funds are made available to the cultural facilities grant program:$225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: $225,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program: $225,000.00

(6) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: $225,000.00

(b) The following sum is appropriated in FY 2014 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: $225,000.00

(c) The following sums are appropriated in FY 2015 for Building Communities Grants established in 24 V.S.A. chapter 137:

(1) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Preservation Grant Program: $225,000.00

(2) To the Agency of Commerce and Community Development, Division for Historic Preservation, for the Historic Barns Preservation Grant Program: $225,000.00

(3) To the Vermont Council on the Arts for the Cultural Facilities Grant Program, the sum of which may be used to match funds that may be made

available from the National Endowment of the Arts, provided that all capital funds are made available to the cultural facilities grant program:$225,000.00

(4) To the Department of Buildings and General Services for the Recreational Facilities Grant Program: $225,000.00

(5) To the Department of Buildings and General Services for the Human Services and Educational Facilities Competitive Grant Program: $225,000.00

(6) To the Department of Buildings and General Services for the Regional Economic Development Grant Program: $225,000.00

(d) The following sum is appropriated in FY 2015 to the Agency of Agriculture, Food and Markets for the Agricultural Fairs Capital Projects Competitive Grant Program: $225,000.00

Appropriation – FY 2014 $1,575,000.00

Appropriation – FY 2015 $1,575,000.00

Total Appropriation – Section 7 $3,150,000.00

Sec. 8. EDUCATION

(a) The sum of $6,704,634.00 is appropriated in FY 2014 to the Agency of Education for funding the state share of completed school construction projects pursuant to 16 V.S.A. § 3448.

(b) The sum of $10,411,446 is appropriated in FY 2015 to the Agency of Education for the funding the state share of completed school construction projects pursuant to 16 V.S.A. § 3448. It is the intent of the General Assembly

that the funds appropriated in this subsection are committed funds not subject to budget adjustment.

Appropriation – FY 2014	*$6,704,634.00*
Appropriation – FY 2015	*$10,411,446.00*
Total Appropriation – Section 8	*$17,116,080.00*

Sec. 9. UNIVERSITY OF VERMONT

(a) The sum of $1,400,000.00 is appropriated in FY 2014 to the University of Vermont for construction, renovation, and major maintenance.

(b) The sum of $1,400,000.00 is appropriated in FY 2015 to the University of Vermont for construction, renovation, and major maintenance.

(c) It is the intent of the General Assembly to evaluate in the second year of the biennium the appropriate amount for future funding of this project.

Total Appropriation – Section 9	*$2,800,000.00*

Sec. 10. VERMONT STATE COLLEGES

(a) The sum of $1,400,000.00 is appropriated in FY 2014 to the Vermont State Colleges for construction, renovation, and major maintenance.

(b) The sum of $1,400,000.00 is appropriated in FY 2015 to the Vermont State Colleges for construction, renovation, and major maintenance.

(c) On or before January 15, 2014, the Vermont State Colleges shall, in coordination with the Enhanced 911 Board, bring each state college into compliance with the requirements of 30 V.S.A. § 7057 (privately owned

telephone systems) or develop a comprehensive plan approved by the Enhanced 911 Board to bring each state college into compliance with the Enhanced 911 program requirements. The funds appropriated in FY 2015 to the Vermont State Colleges shall only become available after the Enhanced 911 Board has notified the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions that the Vermont State Colleges has met these requirements.

(d) It is the intent of the General Assembly to evaluate in the second year of the biennium the appropriate amount for future funding of this project.

Total Appropriation – Section 10 *$2,800,000.00*

Sec. 11. NATURAL RESOURCES

(a) The following sums are appropriated to the Agency of Natural Resources in FY 2014 for:

(1) the Water Pollution Control Fund for the following projects:

(A) Clean Water State/EPA Revolving Loan Fund (CWSRF) match: *$1,381,600.00*

(B) Principal associated with funding for the Pownal project: *$500,000.00*

(C) Administrative support – engineering, oversight, and program management: *$300,000.00*

(2) the Drinking Water Supply for the following projects:

(A) Drinking Water State Revolving Fund: $2,500,000.00

(B) Engineering, oversight, and project management: $300,000.00

(C) EcoSystem restoration and protection: $2,250,000.00

(D) Waterbury waste treatment facility for phosphorous removal: $3,440,000.00

(3) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: $2,000.000.00

(4) the Department of Fish and Wildlife for the following projects:

(A) general infrastructure projects: $1,000,000.00

(B) Fish and Wildlife Enforcement Division, for equipment: $75,950.00

(C) Lake Champlain Walleye Association, Inc. to upgrade and repair the walleye rearing, restoration, and stocking infrastructure: $25,000.00

(b) The following sums are appropriated to the Agency of Natural Resources in FY 2015 for:

(1) the Water Pollution Control Fund for the following projects:

(A) Clean Water State/EPA Revolving Loan Fund (CWSRF) match: $700,000.00

(B) Interest associated with delayed grant funding for the Pownal project: *$30,000.00*

(C) Springfield loan conversions: *$78,000.00*

(D) Administrative support – engineering, oversight, and program management: *$300,000.00*

(2) the Drinking Water Supply for the following projects:

(A) Drinking Water State Revolving Fund: *$1,000,000.00*

(B) Engineering, oversight, and project management: *$300,000.00*

(C) EcoSystem restoration and protection: *$2,073,732.00*

(3) dam safety and hydrology projects: *$400,000.00*

(4) the Agency of Natural Resources for the Department of Forests, Parks and Recreation for statewide small scale rehabilitation, wastewater repairs, preventive improvements and upgrades of restrooms and bathhouses, and statewide small-scale road rehabilitation projects: *$2,000,000.00*

(5) the Department of Fish and Wildlife: *$1,000,000.00*

(c) It is the intent of the General Assembly to review the proposal submitted by the Commissioner of Finance and Management pursuant to Sec. 39 of this act to evaluate the suitability of the FY 2015 appropriations to the Agency of Natural Resources for engineering costs in subdivisions (b)(1)(D) and (b)(2)(B) of this section.

Appropriation – FY 2014 *$13,772,550.00*

Appropriation – FY 2015 *$7,881,732.00*

Total Appropriation – Section 11 *$21,654,282.00*

Sec. 12. MILITARY

(a) The sum of $750,000.00 is appropriated in FY 2014 to the Department of Military for land acquisition, new construction, maintenance, and renovations at state armories. To the extent feasible, these funds shall be used to match federal funds.

(b) The sum of $500,000.00 is appropriated in FY 2015 for the purpose described in subsection (a) of this section.

Total Appropriation – Section 12 *$1,250,000.00*

Sec. 13. PUBLIC SAFETY

(a) The sum of $3,000,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Department of Public Safety for the design, construction, and fit-up of a new public safety field station to consolidate the Brattleboro and Rockingham barracks. For the purpose of allowing the Department of Buildings and General Services to enter into contractual agreements and complete work on the projects described in this subsection as soon as possible, it is the intent of the General Assembly that these are committed funds.

(b) The sum of $3,100,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section. For the purpose of allowing the

Department of Buildings and General Services to enter into contractual agreements and complete work on the project as soon as possible, it is the intent of the General Assembly that these are committed funds not subject to budget adjustment.

(c) The sum of $550,000.00 is appropriated in FY 2014 to the Department Buildings and General Services for the Department of Public Safety to purchase land for public safety field stations and to conduct feasibility studies.

(d) The sum of $300,000.00 is appropriated in FY 2015 for the project described in subsection (c) of this section.

(e) The sum of $50,000.00 is appropriated in FY 2014 to the Department of Public Safety for the purchase of fire safety equipment for the Fire Service Training Center in Pittsford.

Appropriation – FY 2014	*$3,600,000.00*
Appropriation – FY 2015	*$3,400,000.00*
Total Appropriation – Section 13	*$7,000,000.00*

Sec. 14. AGRICULTURE, FOOD AND MARKETS

(a) The sum of $150,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Agency of Agriculture, Food and Markets for major maintenance costs at the Vermont Exposition Center Building in Springfield, Massachusetts.

(b) The sum of $1,200,000.00 is appropriated in FY 2015 to the Agency of Agriculture, Food and Markets for the conservation reserve enhancement program and the best management practice implementation cost share program to continue to reduce nonpoint source pollution in Vermont. Cost share funds for the best management practice implementation cost share program shall not exceed 90 percent of the total cost of a project. Whenever possible, state funds shall be combined with federal funds to complete projects.

Appropriation – FY 2014	*$150,000.00*
Appropriation – FY 2015	*$1,200,000.00*
Total Appropriation – Section 14	*$1,350,000.00*

Sec. 15. VERMONT PUBLIC TELEVISION

(a) The sum of $205,750.00 is appropriated in FY 2014 to Vermont Public Television for the continuation of digital conversion and energy conservation retrofitting.

(b) The sum of $200,000.00 is appropriated in FY 2015 to Vermont Public Television for transmission security.

Appropriation – FY 2014	*$205,750.00*
Appropriation – FY 2015	*$200,000.00*
Total Appropriation – Section 15	*$405,750.00*

Sec. 16. VERMONT RURAL FIRE PROTECTION

(a) The sum of $100,000.00 is appropriated in FY 2014 to the Department of Public Safety for the Vermont Rural Fire Protection Task Force to continue the dry hydrant program.

(b) The sum of $100,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section.

Total Appropriation – Section 16 *$200,000.00*

Sec. 17. VERMONT VETERANS' HOME

(a) The sum of $1,216,000.00 is appropriated in FY 2014 to the Department of Buildings and General Services for the Vermont Veterans' Home for emergency mold remediation actions, for updates to the 2006 facilities assessment report, and for the development of a comprehensive plan to address and prevent mold growth.

(b) The Commissioner of Buildings and General Services, in consultation with the Chief Administrative Officer of the Veterans' Home, shall apply for any eligible federal funds to use as a match for the appropriation made in subsection (a) of this section and shall work with Vermont's Congressional Delegation to investigate the availability of other possible federal funding sources. The Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the availability of federal funds and the status of

a federal match to be used for the project described in subsection (a) of this section on or before July 31, 2013.

(c) The Commissioner of Buildings and General Services, in consultation with the Chief Administrative Officer of the Veterans' Home, shall contract with an independent third party to conduct an update to the 2006 facilities assessment report of the Vermont Veterans' Home. On or before January 15, 2014, the Commissioner shall submit a copy of the report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(d) The Commissioner of Buildings and General Services, in consultation with the Chief Administrative Officer of the Veterans' Home, shall contract with an independent third party to prepare a comprehensive plan to address the ongoing mold issues at the Home and prevent any additional mold issues.

(1) The plan shall include:

(A) identification of currently known mold issues and potential mold issues at the Veterans' Home;

(B) recommendations for implementing preventive measures to address mold growth;

(C) estimates for the projected cost to implement the recommendations and preventive measures;

(D) a proposed time line to implement the plan; and

(E) a review and consideration of the findings of the Veterans' Home management and operations review required by 2013 Acts and Resolves No. 1, Sec. 53.1, the updated facilities assessment report required by subsection (c) of this section, and the findings and recommendations of any other design professionals or consultants engaged by the Department of Buildings and General Services to work at the Veterans' Home.

(2) On or before February 15, 2014, the Commissioner shall submit a copy of the plan to the Veterans' Home Board of Trustees, the Vermont State Employees' Association (VSEA), the House Committee on Corrections and Institutions, and the Senate Committee on Institutions.

Total Appropriation – Section 17	*$1,216,000.00*

Sec. 18. VERMONT INTERACTIVE TECHNOLOGIES

(a) The sum of $288,000.00 is appropriated in FY 2014 to the Vermont States Colleges for the Vermont Interactive Technologies for the purchase of equipment necessary for systems and unit upgrades at Vermont Interactive Technologies sites.

(b) The sum of $88,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section.

Appropriation – FY 2014	*$288,000.00*
Appropriation – FY 2015	*$88,000.00*
Total Appropriation – Section 18	*$376,000.00*

Sec. 18a. ENHANCED 911 PROGRAM

(a) The sum of $10,000.00 is appropriated in FY 2014 to the Enhanced 911 Board for one-time fees and equipment associated with the planning and implementation of the Enhanced 911 program in schools pursuant to 30 V.S.A. § 7057.

(b) The sum of $10,000.00 is appropriated in FY 2015 for the project described in subsection (a) of this section.

(c) It is the intent of the General Assembly that the appropriations to the Enhanced 911 Board for the Enhanced 911 program in subsections (a) and (b) of this section are one-time appropriations. Any future appropriations shall be funded through the Universal Service Fund established pursuant to 30 V.S.A. chapter 88.

Total Appropriation – Section 18a *$20,000.00*

** * * Financing this Act * * **

Sec. 19. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

(a) The following sums are reallocated to the Department of Buildings and General Services from prior capital appropriations to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 1 (32 Cherry Street): *$48,065.57*

(2) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 1 (Rutland multimodal garage trench drains): *$404.09*

(3) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 3 (VSH ongoing safety): *$96.98*

(4) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 14 (two-way radio system): *$12,579.71*

(5) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (DMV bathroom renovations): *$119,067.33*

(6) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (engineer cost): *$158,779.04*

(7) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (116 State Street): *$0.02*

(8) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 2 (Waterbury fuel tank replacement): *$400,000.00*

(9) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 7 (recreation grant program): *$8,150.00*

(10) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 7 (Human Service and Educational Grant): *$2,515.61*

(11) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 14(e) (architectural assessment, Middlesex): *$6.80*

(12) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 6(3) (Vermont Arts Council, cultural facilities grant): $29,454.00

(b) The following unexpended funds appropriated to the Agency of Natural Resources for capital construction projects are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 1989 Acts and Resolves No. 52, Sec. 8(b)(1) (water pollution): $9,426.24

(2) of the amount appropriated by 1990 Acts and Resolves No. 276, Sec. 10 (potable water supply construction): $17,430.00

(3) of the amount appropriated by 1991 Acts and Resolves No. 93, Sec. 11(d)(2) (water supply): $46,514.75

(4) of the amount appropriated by 1992 Acts and Resolves No. 256, Sec. 11(e)(1) (water pollution): $35,000.65

(5) of the amount appropriated by 1998 Acts and Resolves No. 148, Sec. 13(b)(1) (water supply): $72,513.80

(6) of the amount appropriated by 1998 Acts and Resolves No. 148, Sec. 13(b)(2)(A) (pollution control): $305,394.84

(7) of the amount appropriated by 2001 Acts and Resolves No. 61, Sec. 9(a) (various projects): $277,833.51

(8) of the amount appropriated by 2003 Acts and Resolves No. 63, Sec. 8 (water pollution/drinking): $118,725.81

(9) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (water pollution grants): $896.40

(10) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (clean and clear program): $44,447.91

(11) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (ecological assessments): $36.70

(12) of the amount appropriated by 2004 Acts and Resolves No. 121, Sec. 10 (species recovery plan): $3.90

(13) of the amount appropriated by 2005 Acts and Resolves No. 43, Sec. 9 (water pollution grants): $128,115.97

(14) of the amount appropriated by 2005 Acts and Resolves No. 43, Sec. 9 (clean and clear program): $135,500.37

(15) of the amount appropriated by 2006 Acts and Resolves No. 147, Sec. 10 (water pollution grants): $34,703.62

(16) of the amount appropriated by 2006 Acts and Resolves No. 147, Sec. 10 (clean and clear program): $40,686.00

(17) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (water pollution control): $35,000.00

(18) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (state-owned dams): *$198,104.00*

(19) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 11 (clean and clear): *$320,042.39*

(20) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 12 (clean and clear): *$92,906.23*

(21) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 12 (water pollution): *$87,967.95*

(22) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 9 (water pollution control): *$231,202.30*

(23) of the amount appropriated by 2009 Acts and Resolves No. 43, Sec. 9 (clean and clear): *$515,957.62*

(24) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (Drinking Water State Revolving Fund): *$5,500.00*

(25) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (water pollution control): *$123,666.00*

(26) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (clean and clear): *$66,864.08*

(27) of the amount appropriated by 2010 Acts and Resolves No. 161, Sec. 12 (sea lamprey control project): *$155,898.60*

(28) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 12(a) (water pollution control): *$210,000.00*

(29) of the amount appropriated by 2011 Acts and Resolves No. 40, Sec. 12(a) (water pollution TMDL/wetland): *$20,112.00*

(30) of the amount appropriated by 2012 Acts and Resolves No. 40, Sec. 12(b) (drinking water projects): *$35,483.32*

(31) of the amount appropriated by 2012 Acts and Resolves No. 40, Sec. 12(b) (water pollution control): *$472,239.85*

(c) The following unexpended funds appropriated to the Agency of Commerce and Community Development for capital construction projects are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the amount appropriated by 2007 Acts and Resolves No. 52, Sec. 7(e) (Unmarked Burial Fund): *$18,928.39*

(2) of the amount appropriated by 2008 Acts and Resolves No. 200, Sec. 7(b)(1) (Unmarked Burial Fund): *$24,769.00*

(d) The following sums are reallocated to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act:

(1) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25(i) (sale of Thayer school): *$433,478.30*

(2) of the amount recouped by the state for waterfront enhancement authorized by 1993 Acts and Resolves No. 59, Sec. 16d(c) (special fund 21896, Waterfront Preservation Fund): $190,000.00

(3) of the proceeds from the sale of property authorized by 2009 Acts and Resolves No. 43, Sec. 25(d) (sale of former North American Playcare, Inc. building in Middlesex): $132,040.88

(4) of the proceeds from the sale of property authorized by 20 V.S.A. § 542 (Northfield, Ludlow, and Rutland armories): $311,539.21

Total Reallocations and Transfers – Section 19 $5,728,049.74

Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

(a) The State Treasurer is authorized to issue general obligation bonds in the amount of $159,900,000.00 for the purpose of funding the appropriations of this act. The State Treasurer, with the approval of the Governor, shall determine the appropriate form and maturity of the bonds authorized by this section consistent with the underlying nature of the appropriation to be funded. The State Treasurer shall allocate the estimated cost of bond issuance or issuances to the entities to which funds are appropriated pursuant to this section and for which bonding is required as the source of funds, pursuant to 32 V.S.A. § 954.

(b) The State Treasurer is further authorized to issue additional general obligation bonds in the amount of $7,603,320.00 that were previously

authorized but unissued under 2011 Acts and Resolves No. 40, Sec. 25 for the purpose of funding the appropriations of this act. This amount shall be allocated to the Department of Buildings and General Services to defray expenditures in Sec. 2 of this act.

Total Revenues – Section 20 *$167,503,320.00*

Sec. 21. SALE OF BUILDING 617 IN ESSEX; USE OF PROCEEDS

The proceeds from the sale of Building 617 in Essex shall be allocated to the Department of Buildings and General Services and used to defray FY 2014 expenditures in Sec. 2 of this act. To the extent such use of proceeds results in a like amount of general obligation bonds authorized in Sec. 20 of this act for Sec. 2 to remain unissued at the end of FY 2014, then such unissued amount of bonds shall remain authorized to be issued in FY 2015 to provide additional funding for the Waterbury State Office Complex and such amount shall be appropriated in FY 2015 to Sec. 2(c)(10) of this act.

** * * Policy * * **

** * * Buildings and General Services * * **

Sec. 22. REPEAL; ROBERT GIBSON PARK; TOWN OF BRATTLEBORO

1999 Acts and Resolves No. 29, Sec. 19(b)(1)(C)(i) (repayment of appropriation for Robert Gibson Park) is repealed.

Sec. 23. 2012 Acts and Resolves No. 104, Sec. 25 is amended to read:

Sec. 25. EMPLOYEE SERVICE MEMORIAL

(a) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services, in consultation with the ~~commissioner of human resources~~ Commissioner of Human Resources and an association representing Vermont state employees, shall develop a plan to honor the services of past, present, and future Vermont state employees with an appropriate memorial. On or before January 15, ~~2013~~ 2014, the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall recommend a future location for an employee service memorial and provide estimated costs to the ~~general assembly~~ General Assembly.

(b) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services may accept donations for the administration, materials, creation, and maintenance of the service memorial.

Sec. 24. 2009 Acts and Resolves No. 43, Sec. 25(a) is amended to read:

(a) Notwithstanding 29 V.S.A. § 166(b), the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services is authorized to ~~negotiate the sale of~~ sell, lease, gift, or otherwise convey all or a portion of the ~~state's~~ State's property that adjoins the Hebard ~~state office building~~ State Office Building in Newport City for the purposes of transferring

ownership and operation of the bike path, walking path, and boardwalk. ~~Upon approval of the chairs and vice chairs of the senate committee on institutions and the house committee on corrections and institutions, the commissioner may sell the property for the negotiated price. The commissioner shall strive to sell the property at fair market value. However, due to the unique nature of the transaction, the commissioner may use the following factors to justify selling the property at less than fair market value:~~

~~(1) Ongoing maintenance and operation costs associated with the property.~~

~~(2) Risk potential to the state.~~

~~(3) The local economic situation.~~

The Commissioner is further authorized to accept federal or state grants for improvements, maintenance, and operating costs associated with this property.

Sec. 25. BATTLE OF CEDAR CREEK AND WINCHESTER MEMORIALS

The Commissioner of Buildings and General Services is authorized to use the appropriation in Sec. 6(c)(1) of this act for capital expenses associated with the placement of a Vermont historical roadside marker at the Cedar Creek Battlefield in Virginia, the relocation of the Battle of Winchester Memorial to its original location on the Third Winchester Battlefield in Virginia, and reimbursement to the Civil War Trust, the State of Virginia, and the United States Veterans Administration for any capital expenses associated

with the completion of these projects. Capital expenses associated with the placement of the roadside marker or the relocation of the Memorial may include site acquisition, planning, design, transportation of the Memorial, and any other reasonably related costs.

Sec. 26. 29 V.S.A. § 165 is amended to read:

§ 165. SPACE ALLOCATION, INVENTORY, AND USE; LEASING PROPERTY; COMMISSIONER'S PREAPPROVAL REQUIRED

* * *

(d) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall by rule establish procedures which all agencies shall follow in the leasing of real property. No agency shall enter into any lease, no lease shall be valid, and no state funds shall be paid by the ~~department of finance and management~~ Department of Finance and Management pursuant to the terms of any lease, unless the proposed lease has been pre-approved by the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services. If a lease is entered into pursuant to this section, the Commissioner of Buildings and General Services shall preapprove any additional fees, reimbursements, charges, or fit-up costs in excess of the proposed lease rental rate.

Sec. 27. SPECIAL FUND FOR WATERFRONT

Notwithstanding 1993 Acts and Resolves No. 59, Sec. 16d(c), the funds allocated to the special fund for the waterfront to be used for the purpose of waterfront enhancement and preservation are transferred to the Department of Buildings and General Services to defray expenditures authorized in Sec. 2 of this act.

Sec. 28. WINDSOR COUNTY COURTHOUSE

Of the amount appropriated in 2011 Acts and Resolves No. 40, Sec. 5 to the Department of Buildings and General Services on behalf of the Judiciary, the sum of $45,000.00 is directed to the Windsor County Courthouse in Woodstock to perform repairs and upgrades to bring the facility into ADA compliance.

Sec. 29. 2011 Acts and Resolves No. 40, Sec. 12(b), as amended by 2012 Acts and Resolves No. 104, Sec. 8, is amended to read:

(b) The following sums are appropriated to the ~~agency of natural resources~~ Agency of Natural Resources in FY 2013 for:

* * *

~~(E)~~(6) the ~~department of forests, parks and recreation~~ Department of Forests, Parks and Recreation for the Vermont Youth Conservation Corps to perform stabilization, restoration, and cleanup of environmental damage to waterways, forests, and public access lands caused by Tropical Storm Irene, including projects such as controlling the spread of invasive species,

stabilizing flood-eroded river and stream banks; restoring vital aquatic and wildlife habitats, removing toxic materials from fragile natural areas, and remediating recognized viewsheds: 200,000

* * *

Sec. 29a. 29 V.S.A. § 821(a) is amended to read:

(a) State buildings.

(1) "Asa Bloomer State Office Building" shall be the name of the building now known as the "Hulett" office building in the city of Rutland.

* * *

(9) "Vermont Psychiatric Care Hospital" shall be the name of the state hospital in Berlin.

(10) "Vermont State Health Laboratory" shall be the name of the state health laboratory in Colchester.

** * * Commerce and Community Development * * **

Sec. 30. REGIONAL ECONOMIC DEVELOPMENT GRANT PROGRAM

(a) The Commissioner of Buildings and General Services, in consultation with the Secretary of Commerce and Community Development, the Regional Development Corporations of Vermont, and the Regional Economic Development Advisory Committee, shall evaluate whether the Regional Economic Development grants are being awarded to projects for the purpose

of funding capital expenses and whether catastrophic situations should qualify for grants.

(b) On or before September 15, 2013, the Commissioner of Buildings and General Services shall report to the House Committee on Corrections and Institutions, the Senate Committee on Institutions, the House Committee on Commerce and Economic Development, and the Senate Committee on Economic Development, Housing and General Affairs with the results of the evaluation described in subsection (a) of this section.

** * * Agency of Agriculture, Food and Markets * * **

Sec. 31. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

If additional support is required for the Best Management Practice Implementation Cost-Share Program and the Conservation Reserve Enhancement Program in FY 2014, the Secretary of Agriculture, Food and Markets is authorized to use as funding prior capital fund appropriations for these programs to the Agency of Agriculture, Food and Markets.

Sec. 32. AGRICULTURE; REALLOCATION

Of the amount held in the Eastern States Building Special Fund #21682, it the intent of the General Assembly that the Agency of Agriculture, Food and Markets shall redirect the sum of $125,000.00 to the Department of Buildings and General Services for major maintenance at the Vermont Exposition Center Building in Springfield, Massachusetts.

** * * Capital Planning and Finance * * **

Sec. 33. 29 V.S.A. § 152 is amended to read:

§ 152. DUTIES OF COMMISSIONER

(a) The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services, in addition to the duties expressly set forth elsewhere by law, shall have the authority to:

** * **

(3) Prepare or cause to be prepared plans and specifications for construction and repair on all state-owned buildings:

(A) For which the ~~legislature~~ General Assembly or the ~~emergency board~~ Emergency Board has made specific appropriations. In consultation with the department or agency concerned, the ~~commissioner~~ Commissioner shall select sites, purchase lands, determine plans and specifications, and advertise for bids for the furnishing of materials and construction thereof and of appurtenances thereto. The ~~commissioner~~ Commissioner shall determine the time for beginning and completing the construction. Any change orders occurring under the contracts let as the result of actions previously mentioned in this section shall not be allowed unless they have the approval of the ~~secretary of administration~~ Secretary of Administration.

(B) For which no specific appropriations have been made by the ~~legislature~~ General Assembly or the ~~emergency board~~ Emergency Board. The

~~commissioner~~ Commissioner may, with the approval of the ~~secretary of administration~~ Secretary of Administration acquire an option, for a price not to exceed $75,000.00, on an individual property without prior legislative approval, provided the option contains a provision stating that purchase of the property shall occur only upon the approval of the ~~general assembly~~ General Assembly and the appropriation of funds for this purpose. The ~~state treasurer~~ State Treasurer is authorized to advance a sum not to exceed $75,000.00, upon warrants drawn by the ~~commissioner of finance and management~~ Commissioner of Finance and Management for the purpose of purchasing an option on a property pursuant to this subdivision.

(C) For which the Department of Buildings and General Services is granted a right of first refusal. The Commissioner may, with the approval of the Secretary of Administration, enter into an agreement that grants the Department of Buildings and General Services a right of first refusal to purchase property, provided that the right of first refusal contains a provision stating that the purchase of the property shall occur only upon the approval of the General Assembly.

* * *

(23) With the approval of the ~~secretary of administration~~ Secretary of Administration, transfer during any fiscal year to the ~~department of buildings and general services~~ Department of Buildings and General Services for use

only for major maintenance within the capitol complex in Montpelier, any unexpended balances of funds appropriated in any capital construction act for any ~~executive or judicial branch~~ Executive or Judicial Branch project, excluding any appropriations for state grant-in-aid programs, which is completed or substantially completed as determined by the ~~commissioner~~ Commissioner. On or before January 15 of each year, the ~~commissioner~~ Commissioner shall report to the ~~house committee on corrections and institutions and the senate committee on institutions~~ House Committee on Corrections and Institutions and the Senate Committee on Institutions regarding~~:~~

~~(A)~~ all transfers and expenditures made pursuant to this subdivision (23)~~; and~~

~~(B) the unexpended balance of projects completed for two or more years~~.

* * *

Sec. 34. 32 V.S.A. § 310 is amended to read:

§ 310. FORM OF ANNUAL CAPITAL BUDGET AND ~~SIX-YEAR~~ TEN-YEAR CAPITAL PROGRAM PLAN

(a) Each biennial capital budget request submitted to the ~~general assembly~~ General Assembly shall be accompanied by, and placed in the context of, a ~~six-year~~ ten-year state capital program plan to be prepared, and revised

annually, by the ~~governor~~ Governor and approved by the ~~general assembly~~ General Assembly. The ~~six year~~ ten-year plan shall include a list of all projects which will be recommended for funding in the current and ensuing ~~five~~ nine fiscal years. The list shall be prioritized based on need.

(b) The capital budget request for the following ~~fiscal year~~ biennium shall be presented as the next increment of the ~~six year~~ ten-year plan. Elements of the plan shall include:

(1) Assessment and projection of need.

(A) Capital needs and projections shall be based upon current and projected statistics on capital inventories and upon state demographic and economic conditions.

(B) Capital funding shall be categorized as follows:

(i) state buildings, facilities, ~~and~~ land acquisitions, major maintenance, renewable energy sources, and conservation;

(ii) higher education;

(iii) aid to municipalities for education, environmental conservation, including water, sewer, and solid waste projects, and other purposes; and

(iv) transportation facilities.

(C) The capital needs and projections shall be for the current and the next ~~five~~ nine fiscal years, with longer-term projections presented for programs with reasonably predictable longer-term needs.

(D) Capital needs and projections shall be presented independently of financing requirements or opportunities.

(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. The assessment shall indicate further the source of funds for any project which required additional funding and a description of any authorized projects which were delayed.

(B) Amounts proposed to be appropriated for the following fiscal year and each of the ~~five~~ nine years thereafter shall be indicated for capital programs and for individual projects and shall be revised annually to reflect revised cost estimates and changes made in allocations due to project delays.

(C) The capital costs of programs and of individual projects, including funds for the development and evaluation of each project, shall be presented in full, for the entire period of their development.

(D) The operating costs, both actual and prospective, of capital programs and of individual projects shall be presented in full, for the entire period of their development and expected useful life.

(E) The financial burden and funding opportunities of programs and of individual projects shall be presented in full, including federal, state, and local government shares, and any private participation.

(F) Alternative methods of financing capital programs and projects should be described and assessed, including debt financing and use of current revenues.

Sec. 35. TEN-YEAR CAPITAL PROGRAM PLAN

On or before January 15, 2014, the Commissioner of Buildings and General Services, in consultation with the House Committee on Corrections and Institutions and the Senate Committee on Institutions, shall develop a proposal for the planning process for a ten-year capital program plan. The ten-year capital program plan shall include proposals for capital construction requests and major maintenance, and shall set forth definitions and criteria to be used for prioritizing capital projects. Projects may be prioritized based on criteria including: critical priorities, prior capital allocations or commitments, strategic investments, and future investments.

Sec. 36. 32 V.S.A. § 701a is amended to read:

§ 701a. CAPITAL CONSTRUCTION BILL

(a) When the capital budget has been submitted by the ~~governor~~ Governor to the ~~general assembly~~ General Assembly, it shall immediately be referred to the ~~committee on corrections and institutions~~ Committee on Corrections and

Institutions which shall proceed to consider the budget request in the context of the ~~six-year~~ ten-year capital program plan also submitted by the ~~governor~~ Governor pursuant to sections 309 and 310 of this title. The ~~committee~~ Committee shall also propose to the ~~general assembly~~ General Assembly a prudent amount of total general obligation bonding for the following fiscal year, for support of the capital budget, in consideration of the recommendation of the ~~capital debt affordability advisory committee~~ Capital Debt Affordability Advisory Committee pursuant to subchapter 8 of chapter 13 of this title.

(b) As soon as possible, the ~~committee~~ Committee shall prepare a bill to be known as the "capital construction bill," which shall be introduced for action by the ~~general assembly~~ General Assembly.

(c) The spending authority authorized by a capital construction act shall carry forward until expended, unless otherwise provided. ~~Any unencumbered funds remaining after a two-year period~~ All unexpended funds remaining for projects authorized by capital construction acts enacted in a legislative session that was two or more years prior to the current legislative session shall be reported to the ~~general assembly~~ General Assembly and may be reallocated in future capital construction acts.

(d) On or before October 15, each entity to which spending authority ~~is~~ has been authorized by a capital construction act enacted in a legislative session that was two or more years prior to the current legislative session shall submit

to the ~~department of buildings and general services~~ Department of Buildings and General Services a report on the status of each authorized project ~~authorized~~ with unexpended funds. The report shall follow the form provided by the ~~department of buildings and general services~~ Department of Buildings and General Services and shall include details regarding how much of the appropriation has been spent, how much of the appropriation is unencumbered, actual progress in meeting the goals of the project, and any impediments to completing the project on time and on budget. The ~~department~~ Department may request additional or clarifying information regarding each project. On or before January 15, the ~~department~~ Department shall present the information collected to the ~~house committee on corrections and institutions and the senate committee on institutions~~ House Committee on Corrections and Institutions and the Senate Committee on Institutions.

Sec. 37. AVAILABILITY OF APPROPRIATIONS

Notwithstanding 32 V.S.A. § 1 (fiscal year to commence on July 1 and end on June 30), the appropriations in this act designated as FY 2014 shall be available on passage of this act, and those designated as FY 2015 shall be available on passage of the Capital Construction and State Bonding Budget Adjustment Act of the 2014 legislative session.

Sec. 38. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

The Commissioner of Buildings and General Services, in consultation with the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, is authorized to use funds appropriated in this act for capital projects requiring additional support that were funded with capital or general fund appropriations in prior years.

Sec. 39. ACCOUNTING STANDARDS FOR ENGINEERING COSTS

(a) The Commissioner of Finance and Management shall establish a working group to develop a set of criteria and guidelines for allocating engineering costs between the Capital bill and the General Fund. The Working Group shall review current state practices, standard accounting classifications and approaches taken in other states. The Group shall include the Commissioner of Finance and Management or designee, the Commissioner of Buildings and General Services or designee, the Secretary of Natural Resources or designee, the State Auditor or designee, and a Joint Fiscal Officer or designee.

(b) On or before September 30, 2013, the Commissioner of Finance and Management shall present the proposal to the Joint Fiscal Committee and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions for review with the intent that the criteria and guidelines on cost allocations will be used in the FY 2015 capital budget.

** * * Human Services * * **

Sec. 40. SECURE RESIDENTIAL FACILITY

Pursuant to the Level 1 Psychiatric Care Evaluation required by the Fiscal Year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings and General Services shall develop a proposal to establish a permanent secure residential facility no later than January 15, 2015.

** * * Natural Resources * * **

Sec. 41. LABORATORY FEASIBILITY STUDY

On or before December 15, 2013, the Department of Buildings and General Services, the Agency of Natural Resources, and the Agency of Agriculture, Food and Markets shall examine and report to the General Assembly on the feasibility of sharing the same laboratory, exploring relationships with the University of Vermont and the Vermont State Colleges system, or other public or private entities, and determining what specialized services may be sold within the Northeast region to fulfill state and regional laboratory needs. This report shall include a cost-benefit analysis and a governance model.

Sec. 42. 24 V.S.A. § 4763b is amended to read:

§ 4763b. LOANS TO INDIVIDUALS FOR FAILED WASTEWATER SYSTEMS AND FAILED POTABLE WATER SUPPLIES

(a) Notwithstanding any other provision of law, when the wastewater system or potable water supply serving only one single-family residence on its

own lot meets the definition of a failed supply or system, the ~~secretary of natural resources~~ Secretary of Natural Resources may lend monies to the owner of the residence from the Vermont ~~wastewater and potable water revolving loan fund~~ Wastewater and Potable Water Revolving Loan Fund established in section 4753 of this title. In such cases, the following conditions shall apply:

(1) loans may only be made to households with an income equal to or less than 200 percent of the state average median household income;

(2) loans may only be made to households where the recipient of the loan resides in the residence on a year-round basis;

(3) loans may only be made if the owner of the residence has been denied financing for the repair, replacement, or construction due to involuntary disconnection by at least ~~two~~ one other financing ~~entities~~ entity;

(4) no construction loan shall be made to an individual under this subsection, nor shall any part of any revolving loan made under this subsection be expended, until all of the following take place:

(A) the ~~secretary of natural resources~~ Secretary of Natural Resources determines that if a wastewater system and potable water supply permit is necessary for the design and construction of the project to be financed by the loan, the permit has been issued to the owner of the failed system or supply; and

(B) the individual applying for the loan certifies to the ~~secretary of natural resources~~ Secretary of Natural Resources that the proposed project has secured all state and federal permits, licenses, and approvals necessary to construct and operate the project to be financed by the loan~~.~~;

(5) all funds from the repayment of loans made under this section shall be deposited into the Vermont ~~wastewater and potable water revolving loan fund~~ Wastewater and Potable Water Revolving Loan Fund.

(b) The ~~secretary of natural resources~~ Secretary of Natural Resources shall establish standards, policies, and procedures as necessary for the implementation of this section. The ~~secretary~~ Secretary may establish criteria to extend the payment period of a loan or to waive all or a portion of the loan amount.

Sec. 43. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

(a) If additional support is required for the Dufresne Dam Project in FY 2014, the Secretary of Natural Resources is authorized to use as funding prior capital funds authorized in 2011 Acts and Resolves No. 40, Sec. 12(a)(4)(A) for the Wolcott Pond Dam repair and maintenance.

(b) On or before January 15, 2014, the Secretary of Natural Resources shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the status of close-out audits of project grants funded with capital funds.

(c) In FY 2014, the Secretary of Natural Resources, in consultation with the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, is authorized to reallocate unexpended funds that were appropriated to the Agency of Natural Resources:

(1) between projects authorized in different capital construction acts if the funds are appropriated to the same department within the Agency of Natural Resources for a related purpose; and

(2) between a project authorized in a capital construction act and a project not authorized in a capital construction act if the funds are used for planning advances pursuant to 10 V.S.A. § 1591(a).

(d) The Secretary shall reallocate no more than:

(1) A total of $200,000.00 in unexpended funds for the Agency of Natural Resources pursuant to subdivision (c)(1) of this section; and

(2) $30,000.00 per project and $100,000.00 in total pursuant to subdivision (c)(2) of this section.

(e) On or before January 15, 2014, the Secretary of Natural Resources shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the amount of unexpended funds reallocated pursuant to subsection (c) of this section and a description of the projects that received the funds.

(f) It is the intent of the General Assembly to evaluate in FY 2014 whether to grant the Agency of Natural Resources additional authority to reallocate unexpended funds.

** * * Military Department * * **

Sec. 44. 20 V.S.A. § 542 is amended to read:

§ 542. ACQUISITION, MAINTENANCE, AND DISPOSAL OF PROPERTY FOR THE NATIONAL GUARD USE

In the name of the ~~state~~ State, the ~~board~~ Board shall be responsible for the real estate and personal property of the ~~national guard~~ National Guard. The ~~board~~ Board may acquire or purchase, and maintain and dispose of by sale or otherwise real estate and personal property. Upon determination by the ~~board~~ Board that real estate is to be disposed of, the disposal shall be at fair market value, and proceeds shall be allocated to future capital ~~appropriations~~ construction acts.

** * * Education * * **

Sec. 45. STATE AID FOR SCHOOL CONSTRUCTION; EXTENSION OF SUSPENSION

(a) In 2007 Acts and Resolves No. 52, Sec. 36, the General Assembly suspended state aid for school construction in order to permit the Secretary of Education and the Commissioner of Finance and Management to recommend a sustainable plan for state aid for school construction.

(b) In 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts and Resolves No. 54, Sec. 22, the General Assembly, in the absence of a recommendation, extended the suspension until a sustainable plan for state aid for school construction is developed and adopted.

(c) State aid remains suspended pursuant to the terms of 2008 Acts and Resolves No. 200, Sec. 45 as amended by 2009 Acts and Resolves No. 54, Sec. 22.

(d) Notwithstanding the suspension, the State intends to honor its obligation by FY 2016 to pay for projects for which state aid had been committed prior to the suspension.

Sec. 46. MORGAN SCHOOL

Notwithstanding 16 V.S.A. § 3448(b) or any other provision of law to the contrary, the Morgan School District is authorized to sell the Morgan School building and property to the town of Morgan to use for community purposes without repayment of school construction aid. Thereafter, if the town of Morgan sells the building and property to another entity, including the Morgan School District, the town shall repay the sum owed to the State for school construction aid under the terms set forth in 16 V.S.A. § 3448(b).

Sec. 47. ENHANCED 911 PROGRAM; IMPLEMENTATION IN SCHOOL DISTRICTS

On or before January 15, 2014, the Enhanced 911 Board shall, in coordination with the Secretary of Education, provide technical assistance and guidance to school districts to comply with the requirement in 30 V.S.A. § 7057 that accurate location information be associated with each landline telephone installed in a school. The Board is authorized to use funds appropriated in Sec. 18a of this act for one-time fees and equipment associated with planning and implementing compliance with this program. It is the intent of the General Assembly that these funds are used by the Enhanced 911 Board as a supplement to funding from the Vermont Universal Service Fund established pursuant to 30 V.S.A. chapter 88.

** * * Public Safety * * **

Sec. 48. PUBLIC SAFETY FIELD STATION PROJECT

The Department of Buildings and General Services, in consultation with the Department of Public Safety, is authorized to use appropriations in Sec. 13 of this act to conduct feasibility studies, and identify and purchase land for future public safety field station sites. If the Department of Buildings and General Services proposes to purchase property when the General Assembly is not in session, the Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of the proposal.

** * * Energy Use on State Properties * * **

Sec. 49. RENEWABLE ENERGY AND ENERGY CONSERVATION POLICY

(a) The Department of Buildings and General Services shall incorporate the use of renewable energy sources, energy efficiency, and thermal energy conservation in any new building construction or major renovation project in excess of $250,000.00 unless a life cycle cost analysis demonstrates that the investment cannot be recouped or there are limitations on siting.

(b) On or before January 15, 2014, the Department of Buildings and General Services shall contract for a desk audit to examine and report on the feasibility of installing renewable energy devices on up to 20 properties owned by the State.

(c) As used in this section, the "life cycle cost" of each new building construction or major renovation project shall mean the present value purchase price of an item, plus the replacement cost, plus or minus the salvage value, plus the present value of operation and maintenance costs, plus the energy and environmental externalities' costs or benefits.

** * * Effective Date * * **

Sec. 50. EFFECTIVE DATE

This act shall take effect on passage.