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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.

1       Sec. 2. STATE BUILDINGS

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

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

9	<u>(1) Statewide, asbestos:</u>	<u>\$50,000.00</u>
10	<u>(2) Statewide, building reuse and planning:</u>	<u>\$75,000.00</u>
11	<u>(3) Statewide, contingency:</u>	<u>\$100,000.00</u>
12	<u>(4) Statewide, major maintenance:</u>	<u>\$8,103,379.00</u>
13	<u>(5) Statewide, BGS engineering and architectural project costs:</u>	
14		<u>\$3,039,642.00</u>
15	<u>(6) Statewide, physical security enhancements:</u>	<u>\$200,000.00</u>
16	<u>(7) Burlington, 32 and 108 Cherry Street, HVAC and DDC controls</u>	
17	<u>upgrades and roof renovations:</u>	<u>\$250,000.00</u>
18	<u>(8) Montpelier, 133 State Street, foundation and parking lot restoration:</u>	
19		<u>\$1,450,000.00</u>
20	<u>(9) Montpelier, capitol district heat plant:</u>	
21	<u>(A) 122 State Street, construction:</u>	<u>\$2,500,000.00</u>



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

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

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

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





1	<u>Appropriation – FY2015</u>	<u>\$46,464,642.00</u>
2	<u>Total Appropriation – Section 2</u>	<u>\$99,086,663.00</u>

3 Sec. 3. ADMINISTRATION

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

8 (1) \$100,000.00 is appropriated in FY 2014.

9 (2) \$100,000.00 is appropriated in FY 2015.

10	<u>Total Appropriation – Section 3</u>	<u>\$200,000.00</u>
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11 Sec. 4. HUMAN SERVICES

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

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

18		<u>\$5,000,000.00</u>
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19	<u>(2) Corrections, security upgrades:</u>	<u>\$100,000.00</u>
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20	<u>(3) Corrections, facilities conditions analysis:</u>	<u>\$100,000.00</u>
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21 (b) The following sums are appropriated in FY 2015 to the Department of

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

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

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

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

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

14 (1) a facilities conditions analysis;

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

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

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

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





1	<del>Appropriation FY2015</del>	<del>\$250,000.00</del>
2	<del>Total Appropriation Section 6</del>	<del>\$665,000.00</del>

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

<i><u>(1) Underwater preserves:</u></i>	<i><u>\$25,000.00</u></i>
<i><u>(2) Placement and replacement of roadside historic site markers:</u></i>	<i><u>\$15,000.00</u></i>

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

<i><u>(1) Underwater preserves:</u></i>	<i><u>\$35,000.00</u></i>
<i><u>(2) Placement and replacement of roadside historic site markers:</u></i>	<i><u>\$15,000.00</u></i>

3 Sec. 7. GRANT PROGRAMS

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

6 <u>(1) To the Agency of Commerce and Community Development,</u>	
7 <u>Division for Historic Preservation, for the Historic Preservation Grant</u>	
8 <u>Program:</u>	<u>\$225,000.00</u>

9 <u>(2) To the Agency of Commerce and Community Development,</u>	
10 <u>Division for Historic Preservation, for the Historic Barns Preservation Grant</u>	
11 <u>Program:</u>	<u>\$225,000.00</u>

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

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

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

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

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

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

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

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

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

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

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

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

10 Appropriation – FY 2014 \$1,325,000.00

11 Appropriation – FY 2015 \$1,325,000.00

12 Total Appropriation – Section 7 \$2,650,000.00

13 Sec. 8. EDUCATION

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

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

21 Total Appropriation – Section 8 \$17,116,080.00



1 \$1,381,600.00

2 (B) Principal associated with funding for the Pownal project:

3 \$500,000.00

4 (C) Administrative support – engineering, oversight, and program

5 management: \$300,000.00

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

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

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

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

10 (D) Waterbury waste treatment facility for phosphorous removal:

11 \$3,200,000.00

12 (3) the Agency of Natural Resources for the Department of Forests,

13 Parks and Recreation for statewide small scale rehabilitation, wastewater

14 repairs, preventive improvements and upgrades of restrooms and bathhouses,

15 and statewide small-scale road rehabilitation projects: \$2,000,000.00

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

17 (b) The following sums are appropriated to the Agency of Natural

18 Resources in FY 2015 for:

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

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

21 \$700,000.00

1	<u>(B) Interest associated with delayed grant funding for the Pownal</u>	
2	<u>project:</u>	<u>\$30,000.00</u>
3	<u>(C) Springfield loan conversions:</u>	<u>\$78,000.00</u>
4	<u>(D) Administrative support – engineering, oversight, and program</u>	
5	<u>management:</u>	<u>\$300,000.00</u>
6	<u>(2) the Drinking Water Supply for the following projects:</u>	
7	<u>(A) Drinking Water State Revolving Fund:</u>	<u>\$1,000,000.00</u>
8	<u>(B) Engineering, oversight, and project management:</u>	<u>\$300,000.00</u>
9	<u>(C) EcoSystem restoration and protection:</u>	<u>\$2,073,732.00</u>
10	<u>(3) dam safety and hydrology projects:</u>	<u>\$400,000.00</u>
11	<u>(4) the Agency of Natural Resources for the Department of Forests,</u>	
12	<u>Parks and Recreation for statewide small scale rehabilitation, wastewater</u>	
13	<u>repairs, preventive improvements and upgrades of restrooms and bathhouses,</u>	
14	<u>and statewide small-scale road rehabilitation projects:</u>	<u>\$2,000,000.00</u>
15	<u>(5) the Department of Fish and Wildlife:</u>	<u>\$1,000,000.00</u>
16	<u>(c) It is the intent of the General Assembly to evaluate the suitability of the</u>	
17	<u>FY 2015 appropriations to the Agency of Natural Resources for engineering</u>	
18	<u>costs in subdivisions (b)(1)(D) and (b)(2)(B) of this section.</u>	
19	<u>Appropriation – FY 2014</u>	<u>\$13,431,600.00</u>
20	<u>Appropriation – FY 2015</u>	<u>\$7,881,732.00</u>
21	<u>Total Appropriation – Section 11</u>	<u>\$21,313,332.00</u>

1 Sec. 12. MILITARY

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

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

8 Total Appropriation – Section 12 \$1,250,000.00

9 Sec. 13. PUBLIC SAFETY

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

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

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

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

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

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

11 Appropriation – FY 2014 \$3,600,000.00

12 Appropriation – FY 2015 \$3,400,000.00

13 Total Appropriation – Section 13 \$7,000,000.00

14 Sec. 14. AGRICULTURE, FOOD AND MARKETS

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

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

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

5	<u>Appropriation – FY 2014</u>	<u>\$150,000.00</u>
6	<u>Appropriation – FY 2015</u>	<u>\$1,700,000.00</u>
7	<u>Total Appropriation – Section 14</u>	<u>\$1,850,000.00</u>

8 Sec. 15. VERMONT PUBLIC TELEVISION

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

12	<u>Appropriation – FY 2014</u>	<u>\$205,750.00</u>
13	<u>Total Appropriation – Section 15</u>	<u>\$205,750.00</u>

14 Sec. 16. VERMONT RURAL FIRE PROTECTION

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

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

20	<u>Total Appropriation – Section 16</u>	<u>\$200,000.00</u>
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1       Sec. 17. VERMONT VETERANS' HOME

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

6           (b) The Commissioner of Buildings and General Services, in consultation  
7       with the Board of Trustees of the Veterans' Home, shall apply for federal  
8       funds to use as a match for the appropriation made in subsection (a) of this  
9       section and shall work with Vermont's Congressional Delegation to investigate  
10       the availability of other possible federal funding sources for ongoing mold  
11       remediation at the Veterans' Home. The Commissioner of Buildings and  
12       General Services shall notify the Chairs of the House Committee on  
13       Corrections and Institutions and the Senate Committee on Institutions on the  
14       availability of federal funds and the status of a federal match to be used for the  
15       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.

1	<u>Total Appropriation – Section 17</u>	<u>\$1,000,000.00</u>
2	Sec. 18. VERMONT INTERACTIVE TECHNOLOGIES	
3	<u>(a) The sum of \$288,000.00 is appropriated in FY 2014 to the Vermont</u>	
4	<u>States Colleges for the Vermont Interactive Technologies for the purchase of</u>	
5	<u>equipment necessary for systems and unit upgrades at Vermont Interactive</u>	
6	<u>Technologies sites.</u>	
7	<u>(b) The sum of \$88,000.00 is appropriated in FY 2015 for the project</u>	
8	<u>described in subsection (a) of this section.</u>	
9	<u>Appropriation – FY 2014</u>	<u>\$288,000.00</u>
10	<u>Appropriation – FY 2015</u>	<u>\$88,000.00</u>
11	<u>Total Appropriation – Section 18</u>	<u>\$376,000.00</u>



1	<u>(9) of the amount appropriated by 2011 Acts and Resolves No. 40,</u>	
2	<u>Sec. 7 (recreation grant program):</u>	<u>\$8,150.00</u>
3	<u>(10) of the amount appropriated by 2011 Acts and Resolves No. 40,</u>	
4	<u>Sec. 7 (Human Service and Educational Grant):</u>	<u>\$2,515.61</u>
5	<u>(11) of the amount appropriated by 2011 Acts and Resolves No. 40,</u>	
6	<u>Sec. 14(e) (architectural assessment, Middlesex):</u>	<u>\$6.80</u>
7	<u>(b) The following unexpended funds appropriated to the Agency of Natural</u>	
8	<u>Resources for capital construction projects are reallocated to the Department of</u>	
9	<u>Buildings and General Services to defray expenditures authorized in Sec. 2 of</u>	
10	<u>this act:</u>	
11	<u>(1) of the amount appropriated by 1989 Acts and Resolves No. 52,</u>	
12	<u>Sec. 8(b)(1) (water pollution):</u>	<u>\$9,426.24</u>
13	<u>(2) of the amount appropriated by 1990 Acts and Resolves No. 276,</u>	
14	<u>Sec. 10 (potable water supply construction):</u>	<u>\$17,430.00</u>
15	<u>(3) of the amount appropriated by 1991 Acts and Resolves No. 93,</u>	
16	<u>Sec. 11(d)(2) (water supply):</u>	<u>\$46,514.75</u>
17	<u>(4) of the amount appropriated by 1992 Acts and Resolves No. 256,</u>	
18	<u>Sec. 11(e)(1) (water pollution):</u>	<u>\$35,000.65</u>
19	<u>(5) of the amount appropriated by 1998 Acts and Resolves No. 148,</u>	
20	<u>Sec. 13(b)(2)(A) (pollution control):</u>	<u>\$72,513.80</u>

1	<u>(6) of the amount appropriated by 1998 Acts and Resolves No. 148,</u>	
2	<u>Sec. 13(b)(2)(A) (pollution control):</u>	<u>\$305,394.84</u>
3	<u>(7) of the amount appropriated by 2002 Acts and Resolves No. 61,</u>	
4	<u>Sec. 9(a) (various projects):</u>	<u>\$277,833.51</u>
5	<u>(8) of the amount appropriated by 2003 Acts and Resolves No. 63,</u>	
6	<u>Sec. 8 (water pollution/drinking):</u>	<u>\$118,725.81</u>
7	<u>(9) of the amount appropriated by 2004 Acts and Resolves No. 121,</u>	
8	<u>Sec. 10 (water pollution grants):</u>	<u>\$896.40</u>
9	<u>(10) of the amount appropriated by 2004 Acts and Resolves No. 121,</u>	
10	<u>Sec. 10 (clean and clear program):</u>	<u>\$44,447.91</u>
11	<u>(11) of the amount appropriated by 2004 Acts and Resolves No. 121,</u>	
12	<u>Sec. 10 (ecological assessments):</u>	<u>\$36.70</u>
13	<u>(12) of the amount appropriated by 2004 Acts and Resolves No. 121,</u>	
14	<u>Sec. 10 (species recovery plan):</u>	<u>\$3.90</u>
15	<u>(13) of the amount appropriated by 2005 Acts and Resolves No. 43,</u>	
16	<u>Sec. 9 (water pollution grants):</u>	<u>\$128,115.97</u>
17	<u>(14) of the amount appropriated by 2005 Acts and Resolves No. 43,</u>	
18	<u>Sec. 9 (clean and clear program):</u>	<u>\$135,500.37</u>
19	<u>(15) of the amount appropriated by 2006 Acts and Resolves No. 147,</u>	
20	<u>Sec. 10 (water pollution grants):</u>	<u>\$34,703.62</u>

1	<u>(16) of the amount appropriated by 2006 Acts and Resolves No. 147,</u>	
2	<u>Sec. 10 (clean and clear program):</u>	<u>\$40,686.00</u>
3	<u>(17) of the amount appropriated by 2007 Acts and Resolves No. 52,</u>	
4	<u>Sec. 11 (water pollution control):</u>	<u>\$35,000.00</u>
5	<u>(18) of the amount appropriated by 2007 Acts and Resolves No. 52,</u>	
6	<u>Sec. 11 (state-owned dams):</u>	<u>\$198,104.00</u>
7	<u>(19) of the amount appropriated by 2007 Acts and Resolves No. 52,</u>	
8	<u>Sec. 11 (clean and clear):</u>	<u>\$320,042.39</u>
9	<u>(20) of the amount appropriated by 2008 Acts and Resolves No. 200,</u>	
10	<u>Sec. 12 (clean and clear):</u>	<u>\$92,906.23</u>
11	<u>(21) of the amount appropriated by 2008 Acts and Resolves No. 200,</u>	
12	<u>Sec. 12 (water pollution):</u>	<u>\$87,967.95</u>
13	<u>(22) of the amount appropriated by 2009 Acts and Resolves No. 43,</u>	
14	<u>Sec. 9 (water pollution control):</u>	<u>\$231,202.30</u>
15	<u>(23) of the amount appropriated by 2009 Acts and Resolves No. 43,</u>	
16	<u>Sec. 9 (clean and clear):</u>	<u>\$515,957.62</u>
17	<u>(24) of the amount appropriated by 2010 Acts and Resolves No. 161,</u>	
18	<u>Sec. 12 (Drinking Water State Revolving Fund):</u>	<u>\$5,500.00</u>
19	<u>(25) of the amount appropriated by 2010 Acts and Resolves No. 161,</u>	
20	<u>Sec. 12 (water pollution control):</u>	<u>\$123,666.00</u>

1	<u>(26) of the amount appropriated by 2010 Acts and Resolves No. 161,</u>	
2	<u>Sec. 12 (clean and clear):</u>	<u>\$66,864.08</u>
3	<u>(27) of the amount appropriated by 2010 Acts and Resolves No. 161,</u>	
4	<u>Sec. 12 (lamprey project):</u>	<u>\$155, 898.60</u>
5	<u>(28) of the amount appropriated by 2011 Acts and Resolves No. 40,</u>	
6	<u>Sec. 12(a) (water pollution control):</u>	<u>\$210,000.00</u>
7	<u>(29) of the amount appropriated by 2011 Acts and Resolves No. 40,</u>	
8	<u>Sec. 12(a) (water pollution TMDL/wetland):</u>	<u>\$20,112.00</u>
9	<u>(30) of the amount appropriated by 2012 Acts and Resolves No. 40,</u>	
10	<u>Sec. 12(b) (drinking water projects):</u>	<u>\$35,483.32</u>
11	<u>(31) of the amount appropriated by 2012 Acts and Resolves No. 40,</u>	
12	<u>Sec. 12(b) (water pollution control):</u>	<u>\$472,239.85</u>
13	<u>(c) The following unexpended funds appropriated to the Agency of</u>	
14	<u>Commerce and Community Development for capital construction projects are</u>	
15	<u>reallocated to the Department of Buildings and General Services to defray</u>	
16	<u>expenditures authorized in Sec. 2 of this act:</u>	
17	<u>(1) of the amount appropriated by 2007 Acts and Resolves No. 52,</u>	
18	<u>Sec. 7(e) (Unmarked Burial Fund):</u>	<u>\$18,928.00</u>
19	<u>(2) of the amount appropriated by 2008 Acts and Resolves No. 200,</u>	
20	<u>Sec. 7(b)(1) (Unmarked Burial Fund):</u>	<u>\$24,769.00</u>

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

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

5            (2) of the amount recouped by the state for waterfront enhancement  
6        authorized by 1993 Acts and Resolves No. 59, Sec. 16d(c) (special fund  
7        21896, Waterfront Preservation Fund):                                \$190,000.00

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

11           (4) of the proceeds from the sale of property authorized by 20 V.S.A.  
12       § 542 (Northfield, Ludlow, and Rutland armories):                        \$311,539.21

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

14       Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

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

1 section and for which bonding is required as the source of funds, pursuant to  
2 32 V.S.A. § 954.

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

9 Total Revenues – Section 20 \$167,503,320.00

10 \* \* \* Policy \* \* \*

11 \* \* \* Buildings and General Services \* \* \*

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

13 1999 Acts and Resolves No. 29, Sec. 19(b)(1)(C)(i) (repayment of  
14 appropriation for Robert Gibson Park) is repealed.

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

16 Sec. 25. EMPLOYEE SERVICE MEMORIAL

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

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

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

8 Sec. 23. ST. ALBANS STATE OFFICE BUILDING

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

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

13 § 165. SPACE ALLOCATION, INVENTORY, AND USE; LEASING

14 PROPERTY; COMMISSIONER'S PREAPPROVAL REQUIRED

15 \* \* \*

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

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

5 Sec. 25. SPECIAL FUND FOR WATERFRONT

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

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

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

15 \* \* \*

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

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

3 \* \* \*

*\* \* \* 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.*

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

5 Sec. 27. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

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

6       Sec. 28. AGRICULTURE; REALLOCATION

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

12                               \* \* \* Capital Planning and Finance \* \* \*

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

14       § 152. DUTIES OF COMMISSIONER

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

18   \* \* \*

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

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

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

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

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

10 \* \* \*

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

1 Corrections and Institutions and the Senate Committee on Institutions

2 regarding:

3 (A) all transfers and expenditures made pursuant to this subdivision

4 ~~(23); and~~

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

7 \* \* \*

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

9 § 310. FORM OF ANNUAL CAPITAL BUDGET AND ~~SIX-YEAR~~

10 TEN-YEAR CAPITAL PROGRAM PLAN

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

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

21 (1) Assessment and projection of need.

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

4 (B) Capital funding shall be categorized as follows:

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

7 (ii) higher education;

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

11 (iv) transportation facilities.

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

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

17 (2) Comprehensive cost and financing assessment.

18 (A) Amounts appropriated and expended for the current fiscal year  
19 and for the preceding fiscal year shall be indicated for capital programs and for  
20 individual projects. The assessment shall indicate further the source of funds

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

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

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

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

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

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

19 Sec. 31. TEN-YEAR CAPITAL PROGRAM PLAN

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

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

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

9 § 701a. CAPITAL CONSTRUCTION BILL

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

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

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

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

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

6 Sec. 33. AVAILABILITY OF APPROPRIATIONS

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

12 Sec. 34. ADDITIONAL FUNDING FOR CAPITAL PROJECTS

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

18 \* \* \* Human Services \* \* \*

19 Sec. 35. SECURE RESIDENTIAL FACILITY

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

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

3 \* \* \* Natural Resources \* \* \*

4 Sec. 36. LABORATORY FEASIBILITY STUDY

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

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

14 § 4763b. LOANS TO INDIVIDUALS FOR FAILED WASTEWATER  
15 SYSTEMS AND FAILED POTABLE WATER SUPPLIES

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

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

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

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

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

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

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

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



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

4 \* \* \* Military Department \* \* \*

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

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

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

15 \* \* \* Education \* \* \*

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

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



1                                   \* \* \* Energy Use on State Properties \* \* \*

2       Sec. 42. RENEWABLE ENERGY AND ENERGY CONSERVATION

3                                   POLICY

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

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

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

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

18       § 171. ENERGY REVOLVING MANAGEMENT FUND

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

1        (b) The Fund shall consist of:

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

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

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

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

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

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

1       Sec. 44. ENERGY REVOLVING MANAGEMENT FUND

2                   APPROPRIATIONS

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

7       Sec. 45. EFFECTIVE DATE

8           This act shall take effect on passage.