

1 Introduced by
2 Date:
3 Subject: Capital construction; State bonding; budget adjustment
4 Statement of purpose of bill as introduced: This bill proposes to adjust the
5 FY 2015 capital construction budget.

6 An act relating to capital construction and State bonding budget adjustment

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

8 Sec. 1. 2013 Acts and Resolves No. 51, Sec. 2 is amended to read:

9 Sec. 2. STATE BUILDINGS

10 * * *

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

12 * * *

13 (4) Statewide, major maintenance: ~~\$8,334,994.00~~ [8,448,194.00]

14 (5) Statewide, BGS engineering and architectural project

15 costs: \$2,982,132.00 [3,074,163.00]

16 (11) Montpelier, capitol district heat plant, 122 State Street

17 supplemental funds: [3,000,000.00]

18 (12) Agency of Agriculture, Food and Markets and Agency of Natural

19 Resources, laboratory: [500,000.00]

1 Total Appropriation – Section 4 \$11,300,000.00

2 Sec. 3. 2013 Acts and Resolves No. 51, Sec. 5 is amended to read:

3 Sec. 5. JUDICIARY

4 * * *

5 (c) The sum of [\$100,000.00] is appropriated in FY 2015 to the Department
6 of Buildings and General Services on behalf of the Judiciary for the planning,
7 monitoring, and design of the Caledonia courthouse wall stabilization and
8 foundation project.

9 Appropriation – FY 2014 \$1,000,000.00

10 Appropriation – FY 2015 \$2,500,000.00

11 Total Appropriation – Section 5 \$3,500,000.00

12 Sec. 4. 2013 Acts and Resolves No. 51, Sec. 6 is amended to read:

13 Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

14 * * *

15 (e) The following sums are appropriated in FY 2015 to the Agency of

16 Commerce and Community Development for the following projects:

17 * * *

18 (3) Justin Morrill State site, Strafford, siding repair, stair modifications
19 to allow a second means of egress, and a conditions assessment: [\$28,000.00]

20 * * *

21 Appropriation – FY 2015 \$250,000.00

1 Total Appropriation – Section 6 \$690,000.00

2 Sec. 5. 2013 Acts and Resolves No. 51, Sec. 8 is amended to read:

3 Sec. 8. EDUCATION

4 * * *

5 (b) The sum of \$10,411,446 **[\$10,354,690]** is appropriated in FY 2015 to
6 the Agency of Education for funding the ~~state~~ State share of completed school
7 construction projects pursuant to 16 V.S.A. § 3448. ~~It is the intent of the~~
8 ~~General Assembly that the funds appropriated in this subsection are committed~~
9 ~~funds not subject to budget adjustment.~~

10 Appropriation – FY 2014 \$6,704,634.00

11 Appropriation – FY 2015 \$10,411,446.00

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

13 Sec. 6. 2013 Acts and Resolves No. 51, Sec. 11 is amended to read:

14 Sec. 11. NATURAL RESOURCES

15 * * *

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

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

19 (A) Clean Water State/EPA Revolving Loan Fund

20 (CWSRF) match: \$700,000.00 **[\$1,314,000.00]**

21 * * *

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

2 * * *

3 (C) EcoSystem restoration and protection:

4 ~~\$2,073,732.00~~ \$2,573,732.00

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

6 [\$307,000.00]

7 * * *

8 (4)(A) the Agency of Natural Resources for the Department of Forests,

9 Parks and Recreation for statewide small scale rehabilitation, wastewater

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

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

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

13 Parks and Recreation for the purchase of easements on behalf of the Green

14 Mountain Club: [\$100,000.00]

15 * * *

16 Appropriation – FY 2015 \$7,881,732.00

17 Total Appropriation – Section 11 \$21,654,282.00

18 Sec. 7. 2013 Acts and Resolves No. 51, Sec. 13 is amended to read:

19 Sec. 13. PUBLIC SAFETY

20 * * *

1	<u>(1) of the amount appropriated in 2006 Acts and Resolves No. 147,</u>	
2	<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$958.58</u>
3	<u>(2) of the amount appropriated in 2007 Acts and Resolves, No. 52,</u>	
4	<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$72,349.59</u>
5	<u>(3) of the amount appropriated in 2008 Acts and Resolves No. 200,</u>	
6	<u>Sec. 3 (co-location of Health and Forensic Lab):</u>	<u>\$13,163.00</u>
7	<u>(4) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
8	<u>(major maintenance):</u>	<u>\$7,038.60</u>
9	<u>(5) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
10	<u>(State buildings, various projects):</u>	<u>\$13,876.46</u>
11	<u>(6) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
12	<u>(State buildings, various projects, Springfield State Office Building retaining</u>	
13	<u>wall):</u>	<u>\$2,134.48</u>
14	<u>(7) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
15	<u>Sec. 9(d) (Montpelier flood control):</u>	<u>\$42,273.30</u>
16	<u>(8) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
17	<u>Sec. 12(d) (Montpelier flood control):</u>	<u>\$175,201.00</u>
18	<u>(9) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
19	<u>Sec. 1 (major maintenance):</u>	<u>\$11,656.44</u>
20	<u>(10) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
21	<u>Sec. 1 (State buildings, various projects):</u>	<u>\$200,000.00</u>

1	<u>(11) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
2	<u>Sec. 1 (Waterbury complex, fire alarm panels and door holders):</u>	<u>\$38,590.72</u>
3	<u>(12) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
4	<u>Sec. 1 (Bennington State Office Building, geothermal energy project):</u>	
5		<u>\$79,218.54</u>
6	<u>(13) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
7	<u>Sec 14 (Public Safety headquarters):</u>	<u>\$11,757.61</u>
8	<u>(14) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
9	<u>Sec. 2(b) (Statewide contingency):</u>	<u>\$1,473.51</u>
10	<u>(15) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
11	<u>Sec. 2(b) (major maintenance):</u>	<u>\$53,676.67</u>
12	<u>(16) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
13	<u>Sec. 2(b) (120 State Street restroom renovations):</u>	<u>\$1,960.39</u>
14	<u>(17) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
15	<u>Sec. 2(b) (St. Albans Correctional Facility maintenance shop):</u>	<u>\$5,360.00</u>
16	<u>(18) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
17	<u>Sec. 2(b) (State House committee rooms):</u>	<u>\$7,337.97</u>
18	<u>(19) of the amount appropriated in 2012 Acts and Resolves No. 40,</u>	
19	<u>Sec. 2(b) (engineering and architectural costs):</u>	<u>\$95,639.98</u>
20	Total Reallocations and Transfers – Section 19	<u>\$5,728,049.74</u>

1 Sec. 9. 2013 Acts and Resolves No. 51, Sec. 20 is amended to read:

2 Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

3 * * *

4 (c) The State Treasurer is authorized to issue additional general obligation
5 bonds in the amount of \$5,842,992.21 that were previously authorized but
6 unissued under 2013 Acts and Resolves No. 51, Sec. 20(a) for FY 2014 for the
7 purpose of funding the appropriations of this act.

8 Total Revenues – Section 20 \$167,503,320.00 [\$173,346,312.25]

9 Sec. 10. 2013 Acts and Resolves No. 51, Sec. 21 is amended to read:

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

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

1 ~~of a state building or facility for the purpose of negotiating or advertising for~~
2 ~~bids for the construction of such building or facility.~~

3 ~~(3) “Council” means the Vermont Council on the Arts, Inc.~~

4 ~~(4) “Commissioner” means the commissioner of buildings and general~~
5 ~~services.~~

6 ~~(5) “Occupant agency” means that public entity which has or will have~~
7 ~~principal authority to use or occupy a public building.~~

8 ~~(6) “Mixed media” means any combination of two or more types of~~
9 ~~materials used to create a single work of art in two or three dimensions.~~

10 ~~(7) “Project cost” means the budgeted cost of a construction or~~
11 ~~renovation project, excluding the cost of design and of land acquisition or land~~
12 ~~improvement.~~

13 ~~(8) “State building or facility” means any state building, facility,~~
14 ~~permanent structure, park, or appurtenant structure thereof, wholly or partially~~
15 ~~enclosed, owned or leased by state government, the University of Vermont and~~
16 ~~State Agricultural College, or Vermont State Colleges, which is to be~~
17 ~~constructed or renovated in part or totally with funds from any appropriation of~~
18 ~~the general assembly. The term does not include highways, airport runways, or~~
19 ~~taxi ways, hangars, railroad tracks, sidings or yards, garages, sheds,~~
20 ~~warehouses, heating plants, sewers, parking lots and parking garages, bridges,~~
21 ~~highway garages, correctional facilities or buildings used for storage or which~~

1 are of a temporary nature. The term does not include buildings or facilities
2 owned by units of local government, including school districts.

3 (9) ~~“Project site” means any state building or facility undergoing new~~
4 ~~construction or renovation with a total project cost of \$1,000,000.00 or more~~
5 ~~that has been approved for consideration by the commissioner pursuant to this~~
6 ~~chapter.~~

7 (10) ~~“Renovation” means any improvement to an existing building or~~
8 ~~facility, without increasing the height or floor area of the building or facility.~~
9 ~~The term does not include repairs or maintenance to an existing building or~~
10 ~~facility.~~

11 (11) ~~“Works of art” means an original creation of visual art in sculpture,~~
12 ~~paintings, graphic arts, mosaics, photography, crafts, calligraphy, mixed media,~~
13 ~~or any other creation that the advisory committee deems a visual art.~~

14 § 43. ART ACQUISITION FUND

15 (a) ~~An art acquisition fund is created to finance the design, construction,~~
16 ~~and purchase or commissioning of works of art to be included as an integral~~
17 ~~part of the structure of state buildings and facilities. Such works of art may be~~
18 ~~attached to the structure or may be detached within or outside the structure.~~

19 (b) ~~Amounts in the art acquisition fund at the end of each fiscal year shall~~
20 ~~not revert to the general fund.~~

1 ~~(c) Amounts in the fund shall be expended upon order of the council for~~
2 ~~acquisition or commissioning of works of art and for administration, as~~
3 ~~provided in this chapter.~~

4 ~~§ 44. FUNDS TRANSFER FOR ART~~

5 ~~(a) The Commissioner of Buildings and General Services, with the~~
6 ~~approval of the Secretary of Administration, may transfer up to \$50,000.00 in~~
7 ~~any single fiscal year to the Art Acquisition Fund, from capital funds~~
8 ~~appropriated for projects which are eligible for the installation of works of art~~
9 ~~under this chapter.~~

10 ~~(b) Of the funds transferred under subsection (a) of this section, \$5,000.00~~
11 ~~shall be available for use by the Council for the expenses of administering this~~
12 ~~chapter.~~

13 ~~(c) Funds may be transferred under this section without further approval or~~
14 ~~appropriation by the General Assembly.~~

15 ~~§ 45. DUTIES OF CONTRACTING AGENCY~~

16 ~~Upon selection of an architect for any project, the contracting agency shall:~~

17 ~~(1) notify the architect of the provisions of this chapter;~~

18 ~~(2) notify the commissioner and the council of the selection of the~~
19 ~~architect and the details of the project; and~~

20 ~~(3) ensure that the architect discusses the form and placement of the~~
21 ~~artwork with the artist early in the planning and design phase of the building.~~

1 ~~§ 46. USE OF FUNDS~~

2 ~~(a) Project sites which are funded from an appropriation or appropriations~~
3 ~~in one or more annual capital construction acts, shall be eligible for~~
4 ~~consideration by the advisory committee for the installation of one or more~~
5 ~~permanent works of art. For a project expected to receive capital~~
6 ~~appropriations from more than one capital construction act, eligibility may be~~
7 ~~determined by the estimated total cost of the project after the initial~~
8 ~~appropriation is made. In recommending a project site to the advisory~~
9 ~~committee, the commissioner shall give priority to buildings and facilities that~~
10 ~~are frequently visited by members of the public.~~

11 ~~(b) Priority in acquisitions and commissions of works of art shall be given~~
12 ~~to Vermont artists.~~

13 ~~§ 47. ADVISORY COMMITTEE~~

14 ~~(a) There is established an advisory committee to oversee the~~
15 ~~administration of the art acquisition fund.~~

16 ~~(b) The advisory committee shall consist of the following or a designee: the~~
17 ~~commissioner, the director of the council, the chairs of the senate and house~~
18 ~~institutions committees and the chair of the Vermont board of architects.~~

19 ~~Legislative members of the committee shall be entitled to per diem~~
20 ~~compensation and expense reimbursement for attending committee meetings~~
21 ~~pursuant to the provisions of section 406 of Title 2.~~

1 ~~(c) The committee shall:~~

2 ~~(1) oversee the administration of this chapter;~~

3 ~~(2) establish guidelines for the selection of works of art; and~~

4 ~~(3) establish guidelines for the composition of the art selection panel.~~

5 ~~(d) The selection of works of art to be installed under this chapter in~~
6 ~~facilities of the University of Vermont and State Agricultural College and of~~
7 ~~the Vermont State Colleges shall be made pursuant to procedures of these~~
8 ~~institutions for this purpose.~~

9 ~~§ 48. POWERS AND DUTIES OF COUNCIL~~

10 ~~(a) The council shall facilitate a process which will result in a~~
11 ~~recommendation of an artist or artist team for each project selected for~~
12 ~~installation of artwork. The artist or artist team shall collaborate with the~~
13 ~~project architect or design team during the initial design phase of the project.~~

14 ~~(b) Following design of the project, the council shall:~~

15 ~~(1) appoint persons to serve on the art selection panel;~~

16 ~~(2) establish contract procedures for contracting with artists for works of~~
17 ~~art and with architects for services related to the planning for the acquisition of~~
18 ~~works of art;~~

19 ~~(3) on the advice of the art selection panel, arrange contracts with artists~~
20 ~~and order payments from the art acquisition fund for such works of art;~~

1 ~~(4) review the final installation and placement of works of art. In the~~
2 ~~ease of works to be commissioned, the art selection panel shall review the~~
3 ~~design, the final execution, and the placement of the commissioned work;~~

4 ~~(5) assist occupant and contracting agencies in locating insurance when~~
5 ~~it deems such insurance is necessary for the protection of the works of art~~
6 ~~which are purchased.~~

7 ~~(e) Without further appropriation, the council may expend funds transferred~~
8 ~~to it for administration of this chapter.~~

9 § 41. PURPOSE

10 The State of Vermont, recognizing the need to enhance the working
11 environment, to improve the character and quality of State buildings in order to
12 create an environment of distinction, enjoyment and pride for all citizens, and
13 to encourage the donation of works of art to the State for its permanent
14 collection or for exhibition in State buildings or facilities.

15 § 42. DEFINITIONS

16 As used in this chapter:

17 (1) “Art Selection Panel” means the panel authorized by the Council to
18 select artists and works of art for the Art in State Buildings Program.

19 (2) “Commissioner” means the Commissioner of Buildings and General
20 Services.

1 (3) “Contracting agency” means the administrative unit of State
2 government responsible for securing the preparation of plans and specifications
3 of a State building or facility for the purpose of negotiating or advertising for
4 bids for the construction of such building or facility.

5 (4) “Council” means the Vermont Council on the Arts, Inc.

6 (5) “Installation of works art” means a work of art that is installed as an
7 integral part of the structure of a State building or facility, that is attached to
8 the structure, or that is detached within or outside the structure.

9 (6) “Mixed media” means any combination of two or more types of
10 materials used to create a single work of art in two or three dimensions.

11 (7) “Occupant agency” means that public entity which has or will have
12 principal authority to use or occupy a public building.

13 (8) “Project cost” means the budgeted cost of a construction or
14 renovation project of a State building or facility and the installation of a work
15 of art.

16 (A) “Project cost” means the selection, budgeting, and purchase of
17 works art, including costs for any necessary site preparation or improvements,
18 decorative or landscape elements peripheral to the artwork, any associated
19 services such as water, electricity or lighting.

20 (B) “Project cost” does not mean the cost of design and of land
21 acquisition or land improvement.

1 (9) “Renovation” means any improvement to an existing building or
2 facility, without increasing the height or floor area of the building or facility.
3 The term does not include repairs or maintenance to an existing building or
4 facility.

5 (10)(A) “State building or facility” means any State building, facility,
6 permanent structure, park, or appurtenant structure thereof, wholly or partially
7 enclosed, owned or leased by State government, the University of Vermont and
8 State Agricultural College, or Vermont State Colleges.

9 (B) “State building or facility” does not mean highways, airport
10 runways, or taxiways, hangars, railroad tracks, sidings or yards, garages, sheds,
11 warehouses, heating plants, sewers, parking lots and parking garages, bridges,
12 highway garages, correctional facilities or buildings used for storage or which
13 are of a temporary nature, and buildings or facilities owned by units of local
14 government, including school districts.

15 (11) “Works of art” means an original creation of visual art in sculpture,
16 paintings, graphic arts, mosaics, photography, crafts, calligraphy, mixed media,
17 or any other creation that the Advisory Committee deems a visual art.

18 § 43. ART IN STATE BUILDINGS PROGRAM; ELIGIBILITY;

19 PROCEDURE

20 (a) There is established an Art in State Buildings Program to fund the
21 installation of works of art in State buildings and facilities.

1 (b) A State building or facility is eligible for the Program if:

2 (1) the building or facility is to be constructed or renovated in whole or
3 in part with funds appropriated in any capital construction act; and

4 (2) the building or facility is undergoing new construction or renovation
5 with a total project cost of at least \$1,000,000.00 over the life of the project.

6 (c) At the end of each fiscal year, the Commissioner of Buildings and
7 General Services shall recommend two State buildings or facilities that are
8 eligible for the Program to the Advisory Committee. In recommending a State
9 building or facility to the Advisory Committee, the Commissioner shall give
10 priority to buildings or facilities that are frequently visited by members of the
11 public. By the end of August of each year, the Advisory Committee shall
12 review the recommendations and approve a State building or facility for the
13 Program.

14 (d) Within 30 days of the approval by the Advisory Committee:

15 (1) the Commissioner, in consultation with the contracting agency,
16 where appropriate, shall notify the project manager and building architect for
17 the approved State building or facility of the selection for the Program; and

18 (2) the Art Selection Panel shall recommend an artist or work of art for
19 the approved State building or facility. Priority shall be given to Vermont
20 artists in selecting a work of art.

1 (e) As soon as practicable, the Commissioner and the Council shall
2 facilitate communication between the project manager and building architect
3 for the approved State building or facility and the artist recommended by the
4 Art Selection Panel to ensure that the architect discusses the form and
5 placement of the artwork with the artist early in the planning and design phase
6 of the building and that bid specifications will inform potential contractors of
7 the artwork to be installed in the building or facility.

8 (f) If the Advisory Committee approves a building or facility owned by the
9 University of Vermont or State Agricultural College of the Vermont State
10 Colleges pursuant to subsection (c) of this section, any installation of a work of
11 art must be made pursuant to the procedures of these institutions for this
12 purpose.

13 § 44. ART ACQUISITION FUND

14 (a) An Art Acquisition Fund is created to finance the Art in State Buildings
15 Program. The Fund shall be administered by the Council and funds shall be
16 expended for the acquisition, commissioning or installation of works of art and
17 for administration of the Program.

18 (b) The Commissioner of Buildings and General Services, with the
19 approval of the Secretary of Administration, may make a transfer of no more
20 than \$50,000.00 in any single fiscal year to the Art Acquisition Fund, from

1 [X]l. Of the funds transferred under this subsection, \$5,000.00 shall be
2 available for use by the Council for the expenses of administering this chapter.

3 (c) Amounts in the Art Acquisition Fund at the end of each fiscal year shall
4 not revert to the General Fund.

5 § 45. ADVISORY COMMITTEE

6 (a) There is established an Advisory Committee to oversee the
7 administration of the Art Acquisition Fund.

8 (b) The Advisory Committee shall consist of the following or a designee:
9 the Commissioner, the Director of the Council, the Chairs of the Senate and
10 House Institutions Committees and the Chair of the Vermont Board of
11 Architects. Legislative members of the Committee shall be entitled to per
12 diem compensation and expense reimbursement for attending committee
13 meetings pursuant to the provisions of 2 V.S.A. § 406.

14 (c) The Committee shall:

15 (1) oversee the administration of this chapter;

16 (2) establish guidelines for the selection of works of art; and

17 (3) establish guidelines for the composition of the Art Selection Panel.

18 § 46. POWERS AND DUTIES OF COUNCIL

19 (a) The Council shall facilitate the process of the Art Selection Panel for
20 making a recommendation of an artist or work of art for the Program.

21 (b) At the end of each fiscal year, the Council shall:

1 (1) Appoint persons to serve on the Art Selection Panel.

2 (2) Establish contract procedures for contracting with artists for works
3 of art and with architects for services related to the planning for the acquisition
4 of works of art.

5 (3) On the advice of the art selection panel, arrange contracts with artists
6 and order payments from the Art Acquisition Fund for such works of art.

7 (4) Review the final installation and placement of works of art. In the
8 case of works to be commissioned, the Art Selection Panel shall review the
9 design, the final execution, and the placement of the commissioned work.

10 (5) Assist occupant and contracting agencies in locating insurance when
11 it deems such insurance is necessary for the protection of the works of art
12 which are purchased.

13 § 47. POWERS AND DUTIES OF COMMISSIONER

14 (a) The Commissioner shall:

15 (1) advise the Council on the administration of this chapter;

16 (2) establish procedures for accepting the donation to the State of
17 artwork for installation in State buildings or facilities;

18 (3) establish procedures for communicating with artists interested in
19 donating artwork to the State under the provisions of this chapter;

20 (4) review the final installation and placement of artwork; and

1 (5) assist occupants and contracting agencies in locating liability
2 insurance for artwork when necessary;

3 (b) The Commissioner is authorized to purchase artwork for the permanent
4 State House collection with funds appropriated to the Department from any
5 capital construction act.

6 Sec. 12. REPEAL; USE AND DEVELOPMENT OF STATE FACILITIES

7 AND LAND; SPRINGFIELD CORRECTIONAL FACILITY

8 2010 Acts and Resolves No. 161, Sec. 26(c)(2)(improvements and upgrades
9 to the municipal water system at the Springfield Correctional Facility) is
10 repealed.

11 Sec. 13. 2 V.S.A. § 651 is amended to read:

12 § 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE
13 HOUSE

14 (a) ~~A legislative advisory committee on the state house~~ Legislative
15 Advisory Committee on the State House is created.

16 (b) The ~~committee~~ Committee shall be composed of 11 members: ~~three~~
17 ~~members of the house of representatives appointed by the speaker; three~~
18 ~~members of the senate appointed by the committee on committees; the chair of~~
19 ~~the board of trustees of the friends of the Vermont state house; the director of~~
20 ~~the Vermont historical society; the director of the Vermont council on the arts;~~
21 ~~the commissioner of buildings and general services; and the sergeant at arms~~

1 (1) the Lieutenant Governor or designee;

2 (2) the President Pro Tempore of the Senate or designee;

3 (3) the Speaker of the House of Representatives or designee;

4 (4) one member of the House of Representatives, appointed biennially
5 by the Speaker;

6 (5) the Chair of the House Committee on Corrections and Institutions;

7 (6) the Chair of the Senate Committee on Institutions;

8 (7) the Chair of the Board of Trustees of the Friends of the Vermont
9 State House;

10 (8) the Sergeant at Arms

11 (9) the Commissioner of Buildings and General Services;

12 (10) the State Curator; and

13 (11) the Chief Justice of the Supreme Court of designee.

14 (c) The ~~committee~~ Committee shall biennially elect a ~~chair~~ Chair from
15 among its legislative members. A quorum shall consist of six members.

16 (d) The ~~committee~~ Committee shall meet at the ~~state house, on the first~~
17 ~~Monday of each third month beginning in July, 1984.~~ State House, or other
18 venue as agreed by the Committee;

19 (1) at least once each quarter;

20 (2) within two weeks, upon presentation to the Chair of a written request
21 of at least three members of the Committee; or

1 (3) at the call of the ~~chair~~ Chair.

2 Sec. 14. 2 V.S.A. § 653 is amended to read:

3 § 653. FUNCTIONS

4 (a) The ~~legislative advisory committee on the state house~~ Legislative
5 Advisory Committee on the State House shall be consulted on all activities
6 relating to the acquisition and care of paintings and historic artifacts and
7 furnishings, and the refurbishing, renovation, preservation, and expansion of
8 the building and its interior.

9 (b) The ~~sergeant at arms~~ Sergeant at Arms and the ~~commissioner of~~
10 ~~buildings and general services~~ Commissioner of Buildings and General
11 Services, in discharging responsibilities under subdivision 62(a)(7) of this title
12 and 29 V.S.A. § 154(a), respectively, shall consider the recommendations of
13 the ~~advisory committee~~ Advisory Committee. ~~The advisory committee~~
14 ~~recommendations shall be advisory only.~~

15 (c) The Advisory Committee may develop and issue policy and procedure
16 statements.

17 Sec. 15. 29 V.S.A. § 154 is amended to read:

18 § 154. PRESERVATION OF STATE HOUSE AND HISTORIC STATE
19 BUILDINGS

20 (a) The ~~commissioner of buildings and general services~~ Commissioner of
21 Buildings and General Services shall give special consideration to the ~~state~~

1 ~~house~~ State House as a building of first historical importance and significance.
2 He or she shall preserve the ~~state house~~ State House structure and its unique
3 interior and exterior architectural form and design, with particular attention to
4 the detail of form and design, in addition to keeping the buildings, its
5 furnishings, facilities, appurtenances, appendages, and grounds surrounding
6 and attached to it in the best possible physical and functional condition. ~~No~~ A
7 change, alteration, addition, or removal in form, materials, design, architectural
8 detail, ~~furnishing~~ furnishings, fixed in place or otherwise, interior or exterior,
9 of the ~~state house~~ State House, may not be made without legislative mandate.
10 Emergency and immediately necessary repairs may, however, be made without
11 legislative mandate upon prior approval of the ~~governor~~ Secretary of
12 Administration.

13 (b) The ~~commissioner of buildings and general services~~ Commissioner of
14 Buildings and General Services, as time and funds permit, shall prepare such
15 records as will permit the reproduction of ~~state-owned~~ State-owned historic
16 buildings should any of them be destroyed.

17 (c) The Commissioner of Buildings and General Services may delegate his
18 or her duties under subsection (a) of this section to the State Curator.

1 Sec. 16. STATE HOUSE SECURITY

2 (a) On or before July 1, 2015, the Sergeant at Arms, in consultation with
3 the Commissioner of Buildings and General Services, shall implement the
4 following measures to ensure security in the State House:

5 (1) create an evacuation plan for the State House in the case of a fire or
6 other emergency;

7 (2) conduct trainings for legislators and legislative staff on State House
8 security and evacuation procedures, including at least one evacuation drill
9 during each legislative session;

10 (3) develop procedures for communicating with other State agencies and
11 departments, and State and local police departments, when an emergency
12 alarm has been activated in the State House;

13 (4) repair and update the State House intercom system, including
14 providing the Capitol Police with access to the system;

15 (5) install security cameras at each entrance to the State House;

16 (6) repair [the motors?] and install fire safety switches on each elevator
17 in the State House;

18 (7) update each entrance door to the State House to automatically lock
19 when an emergency alarm is activated;

20 (8) place a defibrillator in an accessible space on at least each floor in
21 the State House; and

1 (9) install an alert system in One Baldwin Street and Two Governor
2 Aiken Avenue to notify employees when an emergency alarm has been
3 activated in the State House and when the House and the Senate are convening.

4 (b) The plan described in subdivision (a)(1) of this subsection shall be
5 prominently posted in the State House in each House and Senate Committee
6 room and the cafeteria, and published on the State Legislature website.

7 (c) On or before January 15, 2015 and April 15, 2015, the Sergeant at Arms
8 and the Commissioner of Buildings and General Services shall submit a status
9 report on the implementation of the measures described in subsection (a) of
10 this section to the Joint Rules Committee.

11 Sec. 17. WEEKS SCHOOL; VERGENNES; MASTER PLAN

12 (a) The Commissioner of Buildings and General Services, in consultation
13 with the City of Vergennes and local and regional organizations, shall develop
14 a master plan for the Weeks School.

15 (b) On or before January 15, 2015, the Commissioner of Buildings and
16 General Services shall submit the master plan developed pursuant to
17 subsection (a) of this section, to the House Committee on Corrections and
18 Institutions and the Senate Committee on Institutions.

1 proposals submitted to it for consideration. The Development Cabinet shall
2 refer to appropriate interagency workgroups any economic development
3 proposal that has a significant impact on the inventory or use of State land or
4 buildings.

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

6 Sec. 20. ENERGY EFFICIENCY; STATE LEASES

7 On or before January 15, 2015, the Commissioner of Buildings and General
8 Services shall develop a set of criteria and guidelines to evaluate and, where
9 appropriate, incorporate the use of energy efficiency measures, thermal energy
10 conservation measures, and renewable energy resources in buildings and
11 facilities leased by the State.

12 Sec. 21. 29 V.S.A. § 168 is amended to read:

13 § 168. STATE ~~RESOURCE~~ ENERGY MANAGEMENT PROGRAM;

14 REVOLVING FUNDS

15 (a) ~~Resource~~ State energy management program. ~~The~~

16 (1) There is established within the Department shall be responsible of
17 Buildings and General Services an Energy Management Program for
18 administering the interest of the State in all ~~resource conservation~~ energy
19 management measures in State buildings and facilities, including equipment
20 replacement, studies, weatherization, ~~and~~ construction of improvements

1 affecting the use of energy resources, and the implementation of energy
2 efficiency and conservation measures.

3 (2) The Energy Management Program shall be implemented through
4 two revolving funds used to finance energy management measures in State
5 buildings and facilities. Pursuant to subsections (b) and (c) of this section, the
6 State Resource Management Revolving Fund shall provide revenue for
7 implementation of resource conservation measures, and the Energy Revolving
8 Fund shall provide funding for energy efficiency improvements. The
9 Commissioner shall establish guidelines for the provision of funding for
10 energy management measures through these revolving funds.

11 (3) All ~~resource conservation~~ energy management measures taken for
12 the benefit of departments or agencies to which this section applies pursuant to
13 this section shall, beginning on July 1, 2004, be made and executed by and in
14 the name of the Commissioner.

15 (b) State Resource Management Revolving Fund.

16 (1) There is established a Resource Management Revolving Fund to
17 provide revenue for implementation of resource conservation measures
18 anticipated to generate a life cycle cost benefit to the State. All State agencies
19 responsible for development and operations and maintenance of State
20 infrastructure shall have access to the Resource Management Revolving Fund
21 on a priority basis established by the Commissioner.

1 (2) The Fund shall consist of:

2 (A) ~~Monies~~ monies appropriated to the Fund, or which are paid to it
3 under authorization of the Emergency Board;

4 (B) ~~Monies~~ monies saved by the implementation of resource
5 management conservation measures; and

6 (C) ~~Fees~~ fees for administrative costs paid by departments and
7 agencies, which shall be fixed by the Commissioner subject to the approval of
8 the Secretary of Administration.

9 (D) ~~[Deleted.]~~ [Repealed.]

10 (3) Monies from the Fund shall be expended by the Commissioner for
11 resource conservation measures anticipated to generate a life cycle cost benefit
12 to the State and all necessary costs involved with the administration of State
13 agency energy planning as determined by the Commissioner.

14 (4) The Commissioner shall establish criteria to determine eligibility for
15 funding of resource conservation measures.

16 (5) Agencies or departments receiving funding shall repay the Fund
17 through their regular operating budgets according to a schedule established by
18 the Commissioner. Repayment shall include charges of fees for administrative
19 costs over the term of the repayment.

20 (6) The Commissioner of Finance and Management may anticipate
21 receipts to this Fund and issue warrants based thereon.

1 (7) The Commissioner of Buildings and General Services shall maintain
2 accurate and complete records of all receipts by and expenditures from the
3 Fund.

4 (8) All balances remaining at the end of a fiscal year shall be carried
5 over to the following year.

6 (c) Energy Revolving Fund.

7 (1) There is established an Energy Revolving Fund to finance energy
8 efficiency improvements in State buildings and facilities anticipated to
9 generate a life cycle cost benefit to the State. The Department of Buildings
10 and General Services shall have access to the Energy Revolving Fund on a
11 priority basis established by the Commissioner and the State Treasurer.

12 (2) The Fund shall consist of:

13 (A) monies appropriated to the Fund or which are paid to it under
14 authorization of the Emergency Board;

15 (B) monies saved by the implementation of energy efficiency
16 improvements;

17 (C) any funds invested by the State Treasurer in accordance with
18 subsection (d) of this section; and

19 (D) fees for administrative costs paid by departments and agencies,
20 which shall be fixed by the Commissioner subject to the approval of the
21 Secretary of Administration.

1 (3) Monies from the Fund shall be expended by the Commissioner for
2 cost-effective measures anticipated to benefit the State and all necessary costs
3 involved with the administration of State agency energy planning as
4 determined by the Commissioner.

5 (4) The Commissioner, in consultation with the State Treasurer, shall
6 establish criteria to determine eligibility for funding of energy efficiency.

7 (5) The Department of Buildings and General Services shall repay the
8 Fund through the fee for space budget according to a schedule established by
9 the Commissioner. Repayment shall include charges of fees for administrative
10 costs over the term of the repayment.

11 (6) The Commissioner of Finance and Management may anticipate
12 receipts to this Fund and issue warrants based thereon.

13 (7) The Commissioner of Buildings and General Services shall maintain
14 accurate and complete records of all receipts by and expenditures from the
15 Fund.

16 (8) All balances remaining at the end of a fiscal year shall be carried
17 over to the following year; provided, however, that any amounts received in
18 repayment of the credit facility established under subsection (d) of this section
19 may be reinvested by the State Treasurer.

20 (d) Notwithstanding any other provision of law to the contrary, the State
21 Treasurer, working in collaboration with the Department of Buildings and

1 General Services, shall have the authority to establish a credit facility of up to
2 \$4,000,000.00, on terms acceptable to the State Treasurer. The credit facility
3 shall be used for the purpose of financing energy efficiency improvements
4 anticipated to generate a life cycle cost benefit to the State.

5 (e) As used in this section:

6 (1) “Energy efficiency improvement” shall mean a set of measures
7 aimed at reducing the energy used by specific end-use devices and systems to
8 provide light, heat, cooling or other services without affecting the level of
9 service provided. An energy efficiency project may also include energy
10 conservation measures, that is, a reduction in energy consumption that
11 corresponds with a reduction in service demand.

12 (2) “Resource conservation measures” shall mean [X]

13 * * * Effective Date * * *

14 Sec. 22. EFFECTIVE DATE

15 This act shall take effect on passage.