

1 TO THE HONORABLE SENATE:

2 The Committee on Institutions to which was referred House Bill No. 864
3 entitled “An act relating to capital construction and State bonding budget
4 adjustment” respectfully reports that it has considered the same and
5 recommends that the Senate propose to the House that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

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

9 Sec. 2. STATE BUILDINGS

10 * * *

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

12 * * *

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

15 * * *

16 (F) A special committee consisting of the Joint Fiscal Committee and
17 the Chairs of the House Committee on Corrections and Institutions and the
18 Senate Committee on Institutions (“Special Committee”) is hereby established.
19 If there are any material changes to the planning or funding of the Waterbury
20 State Office Complex, the Special Committee shall meet to review and
21 approve these changes at the next regularly scheduled meeting of the Joint
22 Fiscal Committee or at an emergency meeting called by the Chairs of the

1 House Committee on Corrections and Institutions, the Senate Committee on
2 Institutions, and the Joint Fiscal Committee. The Special Committee shall be
3 entitled to per diem and expenses as provided in 2 V.S.A. § 406.

4 (G) The Commissioner of Buildings and General Services shall
5 notify the House Committee on Corrections and Institutions and the Senate
6 Committee on Institutions at least monthly of updates to the planning process
7 for the projects described in this subdivision (b)(15), including any updates on
8 material changes to the planning or funding of the Waterbury State Office
9 Complex.

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

12 (i) increases the total original project cost estimate by ~~10~~ five
13 percent or more; or

14 (ii) constitutes a change in plan or design.

15 (I) The Commissioner of Buildings and General Services, with the
16 approval of the Secretary of Administration, is authorized to approve
17 additional contingency spending for the Waterbury State Office Complex of
18 less than five percent of the total original project cost estimate.

19 * * *

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

21 * * *

1	(2) Statewide, building reuse and planning:	\$75,000.00
2	(3) Statewide, contingency:	\$100,000.00
3	(4) Statewide, major maintenance:	\$8,334,994.00 <u>\$8,369,994.00</u>
4	(5) Statewide, BGS engineering, <u>project management</u> , and architectural	
5	project costs:	\$2,982,132.00 <u>\$3,446,163.00</u>
6	* * *	
7	<u>(11) Montpelier, capitol district heat plant, 122 State Street</u>	
8	<u>supplemental funds:</u>	<u>\$2,500,000.00</u>
9	<u>(12) Agency of Agriculture, Food and Markets and Agency of Natural</u>	
10	<u>Resources, laboratory, development of proposal for site location,</u>	
11	<u>programming, and design:</u>	<u>\$300,000.00</u>
12	<u>(13) Permanent secure residential facility, proposal for siting and design</u>	
13	<u>(as described in Sec. 40 of this act):</u>	<u>\$50,000.00</u>
14	<u>(14) Vergennes, Weeks School, master plan (as described in Sec. 22 of</u>	
15	<u>this act):</u>	<u>\$30,000.00</u>
16	<u>(15) State House, elevator upgrades and repair:</u>	<u>\$180,000.00</u>
17	<u>(16) Barre, 2 Spaulding Street and McFarland State Office Building,</u>	
18	<u>retaining wall (as described in subsection (h) of this section):</u>	<u>\$75,000.00</u>
19	<u>(17) State House, security enhancements (as described in subsection (i)</u>	
20	<u>of this section):</u>	<u>\$250,000.00</u>

1 (f) It is the intent of the General Assembly that the amount appropriated in
2 subdivision (c)(2) of this section may be used for:

3 (1) a long-term capital plan, as described in Sec. 27 of this act;

4 (2) a budget and phased design plan for infrastructure improvements at
5 120 State Street in Montpelier; and

6 (3) fostering and developing a ten-year capital program plan as required
7 by 32 V.S.A. § 701a.

8 (g) It is the intent of the General Assembly that the amount appropriated
9 in subdivision (c)(11) of this section shall not exceed the cost of construction
10 in placing the capital district heat plant into service. It is also the intent of the
11 General Assembly that any additional funds remaining after this construction
12 has been completed shall be reallocated to the FY 2016 Capital
13 Construction Act.

14 (h)(1) It is the intent of the General Assembly that the amount appropriated
15 in subdivision (c)(16) of this section shall be used by the Commissioner of
16 Buildings and General Services to reimburse the landowner of the property
17 located at 2 Spaulding Street in Barre once the landowner has completed the
18 following:

19 (A) demolishes and removes the entire retaining wall that is located
20 on both the landowner's property and on the State's property;

1 (B) demolishes and removes the house located on the landowner's
2 property; and

3 (C) excavates and grades the site located on both the landowner's
4 property and on the State's property.

5 (2) Notwithstanding 32 V.S.A. § 5, the Commissioner of Buildings and
6 General Services is authorized to use any remaining funds to compensate the
7 landowner if the landowner conveys the property located at 2 Spaulding Street
8 in Barre by warranty deed to the State of Vermont. It is the intent of the
9 General Assembly that the Commissioner shall not compensate the landowner
10 for the conveyance unless the work described in subdivision (1) of this
11 subsection is complete.

12 (3) It is also the intent of the General Assembly that any reimbursement
13 of funds for work described in subdivision (1) of this subsection or
14 compensation provided to the landowner for the conveyance shall be
15 transferred to the landowner on or before October 1, 2014.

16 (4) It is also the intent of the General Assembly that any additional
17 funds remaining shall be reallocated to the FY 2016 Capital Construction Act.

18 (i)(1) It is the intent of the General Assembly that the amount appropriated
19 in subdivision (c)(17) of this section shall be used by the Commissioner of
20 Buildings and General Services to:

1 (A) install a necessary raceway system with supporting wiring for the
2 installation of a security system for the State House;

3 (B) install an alert system in One Baldwin Street to notify employees
4 when an emergency alarm has been activated in the State House and when the
5 House and the Senate are convening; and

6 (C) conduct trainings, assessments, and evaluations, as needed.

7 (2) It is also the intent of the General Assembly that the Commissioner
8 of Buildings and General Services shall use the amount appropriated in
9 subdivision (c)(17) to reimburse the General Assembly for retaining consultant
10 services for trainings, assessments, and evaluations, as described in Sec. 26 of
11 this act.

12	Appropriation – FY 2014		\$52,461,132.00
13	Appropriation – FY 2015	\$45,742,126.00	<u>\$49,726,157.00</u>
14	Total Appropriation – Section 2	\$98,203,258.00	<u>\$102,187,289.00</u>

15 Sec. 2. 2013 Acts and Resolves No. 51, Sec. 4 is amended to read:

16 Sec. 4. HUMAN SERVICES

17 * * *

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

21 * * *

1 Buildings and General Services on behalf of the Judiciary for the planning and
2 monitoring of the Caledonia courthouse wall stabilization and foundation
3 project currently under design.

4 (d) The sum of \$88,000.00 is appropriated in FY 2015 to the Judiciary and
5 directed to the Windsor County courthouse for funding ADA compliance, life
6 safety requirements, electrical device redundancy, and teledata components
7 and wiring.

8 (e) It is the intent of the General Assembly that any amounts appropriated
9 under this section shall not alter the Judiciary’s capital construction priority
10 list.

11	<u>Appropriation – FY 2014</u>		<u>\$1,000,000.00</u>
12	<u>Appropriation – FY 2015</u>		<u>\$2,628,000.00</u>
13	Total Appropriation – Section 5	<u>\$3,500,000.00</u>	<u>\$3,628,000.00</u>

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

15 Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

16 * * *

17 (c) The following sum is appropriated in FY 2014 to the Department of
18 Buildings and General Services for the Battle of Cedar Creek and Winchester
19 Memorials, ~~relocation~~ design and replication, and placement of roadside

20 marker: \$25,000.00 \$35,000.00

21 * * *

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

3 * * *

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

6 Appropriation – FY 2014 \$440,000.00 \$450,000.00

7 Appropriation – FY 2015 \$250,000.00 \$288,000.00

8 Total Appropriation – Section 6 \$690,000.00 \$728,000.00

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

10 Sec. 8. EDUCATION

11 * * *

12 (b) The sum of ~~\$10,411,446~~ \$10,354,690.00 is appropriated in FY 2015 to
13 the Agency of Education for funding the ~~state~~ State share of completed school
14 construction projects pursuant to 16 V.S.A. § 3448. ~~It is the intent of the~~
15 ~~General Assembly that the funds appropriated in this subsection are committed~~
16 ~~funds not subject to budget adjustment.~~

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

18 Appropriation – FY 2015 \$10,411,446.00 \$10,354,690.00

19 Total Appropriation – Section 8 \$17,116,080.00 \$17,059,324.00

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

2 Sec. 11. NATURAL RESOURCES

3 * * *

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

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

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

8 (CWSRF) match:

9 ~~\$700,000.00~~ \$1,114,000.00

10 * * *

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

12 * * *

13 (C) EcoSystem restoration and protection:

14 ~~\$2,073,732.00~~ \$2,573,732.00

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

16 \$300,000.00

17 * * *

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

19 Parks and Recreation for statewide small scale rehabilitation, wastewater

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

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

1	<u>Appropriation – FY 2014</u>		<u>\$750,000.00</u>
2	<u>Appropriation – FY 2015</u>		<u>\$550,000.00</u>
3	Total Appropriation – Section 12	\$1,250,000.00	<u>\$1,300,000.00</u>

4 Sec. 8. 2013 Acts and Resolves No. 51, Sec. 13 is amended to read:

5 Sec. 13. PUBLIC SAFETY

6 * * *

7 (f) The sum of \$36,000.00 is appropriated in FY 2015 to the Department of
8 Public Safety to provide evidence storage units for the Vermont State Police to
9 acquire accreditation through the Commission on Accreditation for Law
10 Enforcement (CALEA) at existing barracks not yet renovated: \$36,000.00

11 (g) The sum of \$50,000.00 is appropriated in FY 2015 to the Department of
12 Buildings and General Services to contract with an independent third party to
13 develop, in consultation with all interested stakeholders, an operational
14 governance and planning model for the operation, financial integrity, and
15 maintenance of the Robert H. Wood Criminal Justice and Fire Service Training
16 Center in Pittsford. On or before January 15, 2015, the Department of
17 Buildings and General Services shall submit this plan to the House Committee
18 on Corrections and Institutions and the Senate Committee on Institutions:

19 \$50,000.00

20	Appropriation – FY 2014		\$3,600,000.00
21	Appropriation – FY 2015	\$3,400,000.00	<u>\$3,486,000.00</u>

1 Total Appropriation – Section 13 \$7,000,000.00 \$7,086,000.00

2 Sec. 9. 2013 Acts and Resolves No. 51, Sec. 17 is amended to read:

3 Sec. 17. VERMONT VETERANS’ HOME

4 * * *

5 (e) The sum of \$435,000.00 is appropriated in FY 2015 to the Department
6 of Buildings and General Services for the Vermont Veterans’ Home to be used
7 to match federal funds for kitchen renovations. The amount appropriated in
8 this subsection shall be used in conjunction with the amount appropriated in
9 2011 Acts and Resolves No. 40, Sec. 19(b) to the Department of Buildings and
10 General Services for the Vermont Veterans’ Home to design an upgrade of the
11 kitchen and dietary storage areas to be code compliant and to improve the food
12 preparation and delivery systems.

13 Appropriation – FY 2014 \$1,216,000.00

14 Appropriation – FY 2015 \$435,000.00

15 Total Appropriation – Section 17 \$1,216,000.00 \$1,651,000.00

16 Sec. 10. 2013 Acts and Resolves No. 51, Sec. 18a is amended to read:

17 Sec. 18a. ENHANCED 911 PROGRAM

18 * * *

19 (b) ~~The sum of \$10,000.00 is appropriated in FY 2015 for the project~~
20 ~~described in subsection (a) of this section.~~ [Repealed.]

21 * * *

1 Total Appropriation – Section 18a \$20,000.00 \$10,000.00

2 Sec. 11. 2013 Acts and Resolves No. 51, Sec. 19 is amended to read:

3 Sec. 19. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

4 * * *

5 (e) The following sums are reallocated to defray expenditures authorized in
6 this act:

7 (1) of the amount appropriated in 1991 Acts and Resolves No. 93,

8 Sec. 11 (drinking water supply projects): \$5,062.78

9 (2) of the amount appropriated in 2002 Acts and Resolves No. 149,

10 Sec. 15 (State’s Attorneys and Sheriffs, case management software system):

11 \$54,877.31

12 (3) of the amount appropriated in 2004 Acts and Resolves No. 121,

13 Sec. 10 (Fish and Wildlife, species recovery plan): \$82.63

14 (4) of the amount appropriated in 2005 Acts and Resolves No. 43, Sec. 9

15 (State-owned dams, maintenance): \$0.19

16 (5) of the amount appropriated in 2006 Acts and Resolves No.147,

17 Sec. 10 (State-owned dams, maintenance): \$18,934.32

18 (6) of the amount appropriated in 2006 Acts and Resolves No. 147,

19 Sec. 3 (Health and Public Safety Lab): \$985.58

20 (7) of the amount appropriated in 2007 Acts and Resolves, No. 52,

21 Sec. 3 (Health and Public Safety Lab): \$93,006.05

1 (8) of the amount appropriated in 2008 Acts and Resolves No. 200,
2 Sec. 3 (co-location of Health and Forensic Lab): \$13,163.00
3 (9) of the amount appropriated in 2009 Acts and Resolves No. 43,
4 Sec. 1 (State buildings, major maintenance and various projects): \$24,914.89
5 (10) of the amount appropriated in 2009 Acts and Resolves No. 43,
6 Sec. 9 (Fish hatcheries, biosecurity): \$38.27
7 (11) of the amount appropriated in 2009 Acts and Resolves No. 43,
8 Sec. 9 (Montpelier flood control): \$42,273.30
9 (12) of the amount appropriated in 2010 Acts and Resolves No. 161,
10 Sec. 1 (Statewide, major maintenance): \$11,656.44
11 (13) of the amount appropriated in 2010 Acts and Resolves No. 161,
12 Sec. 1 (Waterbury, State office complex, fire alarm panels and door holders):
13 \$38,590.72
14 (14) of the amount appropriated in 2010 Acts and Resolves No. 161,
15 Sec. 1 (Bennington State Office Building, geothermal energy project):
16 \$96,277.59
17 (15) of the amount appropriated in 2010 Acts and Resolves No. 161,
18 Sec. 8 (Austine School, Holton Hall, renovations): \$11,962.03
19 (16) of the amount appropriated in 2009 Acts and Resolves No. 43,
20 Sec. 9 (Ecosystem restoration and protection): \$7,000.00

1	<u>(17) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
2	<u>Sec. 12 (Lamprey Control Project):</u>	<u>\$0.40</u>
3	<u>(18) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
4	<u>Sec. 12 (Montpelier flood control):</u>	<u>\$175,201.00</u>
5	<u>(19) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
6	<u>Sec. 12 (Water pollution control projects):</u>	<u>\$0.01</u>
7	<u>(20) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
8	<u>Sec. 14 (Waterbury, Public Safety headquarters, repairs):</u>	<u>\$11,757.61</u>
9	<u>(21) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
10	<u>Sec. 26 (Springfield, municipal water system):</u>	<u>\$200,000.00</u>
11	<u>(22) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
12	<u>Sec. 20 (Center for Crime Victim Services):</u>	<u>\$344.31</u>
13	<u>(23) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
14	<u>Sec. 2 (Statewide buildings, reuse and planning):</u>	<u>\$32,497.59</u>
15	<u>(24) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
16	<u>Sec. 2 (Statewide buildings, statewide contingency):</u>	<u>\$1,473.51</u>
17	<u>(25) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
18	<u>Sec. 2 (Statewide buildings, major maintenance):</u>	<u>\$53,676.67</u>
19	<u>(26) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
20	<u>Sec. 2 (State buildings, 120 State Street, restroom renovations):</u>	<u>\$1,960.39</u>

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* * * Policy * * *

* * * Buildings and General Services * * *

Sec. 14. 2012 Acts and Resolves No. 104, Sec. 1(a) is amended to read:

(a) Damage to ~~state-owned~~ State-owned assets and infrastructure caused by Tropical Storm Irene on August 28, ~~2012~~ 2011 made necessary some of the reallocations and appropriations contained in this act.

Sec. 15. ART IN STATE BUILDINGS PROGRAM; REVIEW OF
GUIDELINES AND PROCEDURES

(a) The Commissioner of Buildings and General Services and the Vermont Council on the Arts, Inc. shall evaluate the effectiveness of the current guidelines and procedures for the Art in State Buildings Program, including the use of program terms and whether modified or new guidelines or procedures are required.

(b) On or before January 15, 2015, the Commissioner of Buildings and General Services and the Vermont Council on the Arts, Inc. shall report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with the results of the evaluation described in subsection (a) of this section.

Sec. 16. 2012 Acts and Resolves No. 104, Sec. 2(f) is amended to read:

(f)(1) Option B of the of the Freeman, French, Freeman report published on March 9, 2012 aligns closely with the ~~general assembly's~~ General Assembly's

1 vision for the Waterbury Complex. However, the ~~general assembly~~ General
2 Assembly believes that Option B could be modified to achieve a cost savings
3 to Vermonters. On or before June 1, 2012, the ~~department of buildings and~~
4 ~~general services~~ Department of Buildings and General Services shall present a
5 modified design proposal, including proposals under subdivision (4) of this
6 subsection (f) to the ~~house committee on corrections and institutions~~ House
7 Committee on Corrections and Institutions, the ~~senate committee on~~
8 ~~institutions~~ Senate Committee on Institutions, and the ~~special committee~~
9 Special Committee described in this subsection.

10 * * *

11 (4) The ~~commissioner of buildings and general services~~ Commissioner
12 of Buildings and General Services is authorized to take certain actions before
13 formal approval of the design. Therefore, notwithstanding 29 V.S.A.
14 § 152(a)(6), 165, or 166 or any other provision of law, in addition to producing
15 a design, permitting, and applying for federal aid, upon passage of this act, the
16 ~~commissioner of buildings and general services~~ Commissioner of Buildings
17 and General Services may:

18 (A) lease, sell, lease purchase, subdivide, redevelop for State use, or
19 donate the following buildings within the Waterbury Complex in their current
20 condition: Stanley and Wasson, 121 South Main Street, 123 South Main Street,
21 5 Park Row, 43 Randall Street, and their improvements.

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Sec. 17. 2011 Acts and Resolves No. 40, Sec. 26(c) is amended to read:

(c) ~~The commissioner of buildings and general services is authorized to sell the Vermont health laboratory at 195 Colchester Avenue in Burlington pursuant to 29 V.S.A. § 166.~~ The Commissioner of Buildings and General Services is authorized to do any or all of the following with respect to the Vermont health laboratory located at 195 Colchester Avenue in Burlington:

(1) investigate all potential uses of the land and building, including redeveloping the land, provided that it is consistent with existing deed covenants; and

(2) enter into agreements and execute any necessary documentation to release or extinguish any of the existing deed covenants.

Sec. 18. REPEAL; USE AND DEVELOPMENT OF STATE FACILITIES
AND LAND; SPRINGFIELD CORRECTIONAL FACILITY

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

1 Sec. 19. 2013 Acts and Resolves No. 51, Sec. 25 is amended to read:

2 Sec. 25. BATTLE OF CEDAR CREEK AND WINCHESTER

3 MEMORIALS

4 (a) The Commissioner of Buildings and General Services is authorized to
5 use the appropriation in Sec. 6(c)(1) of this act for capital expenses associated
6 with the placement of a Vermont historical roadside marker at the Cedar Creek
7 Battlefield in Virginia, ~~and the relocation~~ design and replication of the Battle
8 of Winchester Memorial ~~to~~ at its original location on the Third Winchester
9 Battlefield in Virginia, ~~and~~ The Department of Buildings and General
10 Services, or its agent, shall supervise the installation of the roadside marker
11 and the Memorial.

12 (b) The Commissioner of Buildings and General Services is further
13 authorized to use the appropriation in Sec. 6(c)(1) of this act for capital
14 expenses associated with the completion of the projects described in subsection
15 (a) of this section for reimbursement to the Civil War Trust, the State of
16 Virginia, ~~and the United States Veterans Administration for any capital~~
17 expenses associated with the completion of these projects, the Cedar Creek
18 Battlefield Foundation, and any other entity engaged by the Department of
19 Buildings and General Services to assist with the roadside marker or the
20 Memorial.

1 ~~general services is authorized to subdivide land at the former Weeks school in~~
2 ~~Vergennes in order to sell the Arsenal and Fairbanks buildings. The~~
3 ~~commissioner may use proceeds from the sale to enhance the value of the~~
4 ~~remaining former Weeks school property. [Repealed.]~~

5 * * *

6 Sec. 22. WEEKS SCHOOL; VERGENNES; MASTER PLAN

7 (a) The Commissioner of Buildings and General Services shall contract
8 with an independent third party to develop a master plan for the former Weeks
9 School property located in the City of Vergennes and the Town of Ferrisburgh.
10 In developing the master plan, the independent third party shall consult with
11 the City of Vergennes, the Town of Ferrisburgh, local and regional
12 organizations, and affected State agencies and landowners. The master plan
13 shall include an evaluation of whether the property may be subdivided and
14 sold, and for what purposes it may be used.

15 (b) On or before January 15, 2015, the Commissioner of Buildings and
16 General Services shall provide an update on the plan described in subsection
17 (a) of this section to the House Committee on Corrections and Institutions and
18 the Senate Committee on Institutions.

19 Sec. 23. 29 V.S.A. § 157 is amended to read:

20 § 157. FACILITIES CONDITION ANALYSIS

21 (a) The Commissioner of Buildings and General Services shall:

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(2) conduct a facilities condition analysis each year of ~~20~~ ten percent of the building area and infrastructure under the Commissioner’s jurisdiction so that within ~~five~~ ten years all property is assessed. At the end of the ~~five~~ ten years, the process shall begin again. The analysis conducted pursuant to this subsection shall include the thermal envelope of buildings and a report on the annual energy consumption and energy costs and recommendations for reducing energy consumption.

(b) The Commissioner may use up to two percent of the funds appropriated to the Department of Buildings and General Services for major maintenance and planning for the purpose described in subsection (a) of this section.

Sec. 24. FACILITIES CONDITIONS ANALYSIS; USE OF FY 2015 FUNDS

The Commissioner of Buildings and General Services may use the funds appropriated to the Department of Buildings and General Services for major maintenance and planning and allocated to conducting a facilities conditions analysis under 29 V.S.A. § 157(b) for Sec. 27(a)(2) of this act.

Sec. 25. DEDICATION OF SENATOR SALLY FOX CONFERENCE AREA IN THE WATERBURY STATE OFFICE COMPLEX

(a) Purposes. It is the intent of the General Assembly to honor the work of the late Senator Sally Fox, who served in the Vermont House of

1 Representatives from 1986 to 2000 and in the Vermont Senate from 2010 to
2 2014. She spent her entire career working on human services policy issues and
3 was widely recognized as one of Vermont’s leading advocates for the clients of
4 the Agency of Human Services.

5 (b) Dedication. In acknowledgement of Senator Fox’s years of public
6 service to the State of Vermont and the countless hours she dedicated to
7 working on human services policy in the former Waterbury State Office
8 Complex, the Commissioner of Buildings and General Services and the
9 Secretary of Human Services shall name one of the main conference areas or
10 conference rooms at the new office space of the Agency of Human Services in
11 the Waterbury State Office Complex in the name of Senator Fox.

12 * * * Security * * *

13 Sec. 26. CAPITOL COMPLEX SECURITY; WORKING GROUP;

14 REVIEW

15 (a) Creation. There is created a working group for the purpose of assessing
16 security in the Capitol Complex. The Working Group may authorize or retain
17 consultant services to conduct a review and prepare a report on security in the
18 Capitol Complex, including reviewing current security arrangements and
19 governance options, and identifying possible security enhancements. Any
20 consultants retained pursuant to this subsection shall work through the Joint
21 Fiscal Office under the direction of the Chair of the Working Group.

1 (b) Membership.

2 (1) The Working Group shall be composed of the following members:

3 (A) the Lieutenant Governor;

4 (B) the Commissioner of Buildings and General Services or
5 designee;

6 (C) a representative of the Capitol Police;

7 (D) the Chairs of the House Committee on Corrections and
8 Institutions and the Senate Committee on Institutions;

9 (E) the Sergeant at Arms; and

10 (F) the Court Administrator or designee.

11 (2) The Lieutenant Governor shall be the Chair of the Working Group
12 and shall convene meetings.

13 (3) The Working Group shall have the assistance of the staff of the
14 Office of Legislative Council and the Joint Fiscal Office.

15 (4) The Joint Fiscal Office, in consultation with the Speaker of the
16 House and the Committee on Committees, shall hire one or more consultants to
17 undertake the security review authorized by this section.

18 (c) Funding. The working group is authorized to use funds appropriated in
19 Sec. 1(c)(17) of this act to retain consultant services pursuant to subsection (a)
20 of this section. It is the intent of the General Assembly that any remaining
21 funds shall be reallocated to the FY 2016 Capital Construction Act for the

1 purpose of implementing the recommendations contained in the security
2 report. Any remaining funds shall only be appropriated to implement a
3 recommendation with authorization of the General Assembly.

4 * * * Capital Planning and Finance * * *

5 Sec. 27. LONG-TERM CAPITAL PLAN

6 (a) The Commissioner of Buildings and General Services is authorized to
7 use funds appropriated in 2013 Acts and Resolves No. 51, Sec. 2(c)(2) to
8 develop a long-term capital plan for space utilization in the Capitol Complex
9 and in State-owned and leased buildings in surrounding areas. The plan shall
10 include:

11 (1) an evaluation of the full and efficient occupancy of State-owned and
12 leased buildings;

13 (2) a facilities conditions analysis of up to ten percent of the total
14 building square footage within the Capitol Complex, as may be required; and

15 (3) an evaluation of the space needs of the State Auditor.

16 (b) The Commissioner of Buildings and General Services shall present the
17 results of the long-term capital plan described in subsection (a) of this section
18 as part of the ten-year capital plan required by 32 V.S.A. § 701a.

19 Sec. 28. 32 V.S.A. § 701a(d) is amended to read:

20 (d) On or before ~~October~~ January 15, each entity to which spending
21 authority has been authorized by a capital construction act enacted in a

1 legislative session that was two or more years prior to the current legislative
2 session shall submit to the ~~Department of Buildings and General Services~~
3 House Committee on Corrections and Institutions and the Senate Committee
4 on Institutions a report on the ~~status~~ current fund balances of each authorized
5 project with unexpended funds. ~~The report shall follow the form provided by~~
6 ~~the Department of Buildings and General Services and shall include details~~
7 ~~regarding how much of the appropriation has been spent, how much of the~~
8 ~~appropriation is unencumbered, actual progress in meeting the goals of the~~
9 ~~project, and any impediments to completing the project on time and on budget.~~
10 ~~The Department may request additional or clarifying information regarding~~
11 ~~each project. On or before January 15, the Department shall present the~~
12 ~~information collected to the House Committee on Corrections and Institutions~~
13 ~~and the Senate Committee on Institutions.~~

14 Sec. 29. CAPITAL PLANNING CAPABILITIES

15 (a) The Commissioner of Buildings and General Services and the
16 Commissioner of Finance and Management, in consultation with the Joint
17 Fiscal Office, shall evaluate options for the State's capital planning capabilities
18 in order to improve transparency and accountability for authorized capital
19 construction projects and opportunities to develop a long-term statewide
20 capital planning application in accordance with 32 V.S.A. § 701a.

1 (b) On or before January 15, 2015, the Commissioner of Buildings and
2 General Services shall present the results of the evaluation described in
3 subsection (a) of this section to the House Committee on Corrections and
4 Institutions and the Senate Committee on Institutions.

5 Sec. 30. FIT-UP COSTS; DEFINITION AND PROCEDURES

6 On or before July 15, 2014, the Commissioner of Buildings and General
7 Services shall develop and implement procedures for defining and allocating
8 responsibility for fit-up costs in future construction of State-owned buildings
9 and leased space.

10 * * * Administration * * *

11 Sec. 31. 3 V.S.A. § 2293(b) is amended to read:

12 (b) Development Cabinet. A Development Cabinet is created, to consist of
13 the Secretaries of the Agencies of Administration, ~~of Natural Resources, of~~
14 ~~Commerce and Community Affairs, of Transportation, and~~ of Agriculture,
15 Food and Markets, of Commerce and Community Development, of Education,
16 of Natural Resources, and of Transportation. The Governor or the Governor's
17 designee shall chair the Development Cabinet. The Development Cabinet shall
18 advise the Governor on how best to implement the purposes of this section,
19 and shall recommend changes as appropriate to improve implementation of
20 those purposes. The Development Cabinet may establish interagency work
21 groups to support its mission, drawing membership from any agency or

1 department of State government. Any interagency work groups established
2 under this subsection shall evaluate, test the feasibility of, and suggest
3 alternatives to economic development proposals, including proposals for
4 public-private partnerships, submitted to them for consideration. The
5 Development Cabinet shall refer to appropriate interagency workgroups any
6 economic development proposal that has a significant impact on the inventory
7 or use of State land or buildings.

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

9 Sec. 32. 24 V.S.A. § 5608 is added to read:

10 § 5608. AGRICULTURAL FAIRS AND FIELD DAYS CAPITAL

11 PROJECTS COMPETITIVE GRANTS PROGRAM

12 (a) Grant guidelines. The following guidelines shall apply to capital grants
13 made for Vermont agricultural fairs and field days projects pursuant to this
14 section:

15 (1) Grants shall be competitively awarded to capital projects that relate
16 to Vermont agricultural fairs and field days operating a minimum of three
17 consecutive, eight-hour days per year.

18 (2) A project for which a grant is awarded shall have a minimum useful
19 life of 20 years and shall be completed within three years of the execution of a
20 contract to perform work authorized by the grant.

1 (3) A grant recipient shall contribute matching funds or in-kind services
2 in an amount equal to 15 percent or more of the value of the grant.

3 (b) There is established an Agricultural Fairs and Field Days Capital
4 Program Advisory Committee to administer and coordinate grants made
5 pursuant to this section. The Committee shall include:

6 (1) two members appointed by the Secretary of Agriculture, Food and
7 Markets;

8 (2) one member appointed by the Commissioner of Forests, Parks and
9 Recreation;

10 (3) two members appointed by the Vermont Fair and Field Days
11 Association;

12 (4) one member appointed by the Vermont Department of Tourism and
13 Marketing;

14 (5) one member of the Vermont Senate appointed by the Committee on
15 Committees; and

16 (6) one member of the Vermont House of Representatives appointed by
17 the Speaker of the House.

18 (c) Administration.

19 (1) The Advisory Committee created in subsection (b) of this section
20 shall have the authority to award grants in its sole discretion; provided,

1 however, that the Committee may consider whether to award partial awards to
2 all applicants that meet Program criteria established by the Committee.

3 (2) The Agency of Agriculture, Food and Markets shall provide
4 administrative and technical support to the Committee for purposes of
5 administering grants awarded under this section.

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

7 Agency of Natural Resources * * *

8 Sec. 33. LABORATORY; PROPOSAL

9 (a) On or before August 15, 2014, the Department of Buildings and
10 General Services, the Agency of Agriculture, Food and Markets, and the
11 Agency of Natural Resources shall submit a site location proposal for a shared
12 laboratory to the House Committee on Corrections and Institutions and the
13 Senate Committee on Institutions. It is the intent of the General Assembly that
14 when evaluating site locations, preference shall be given to State-owned
15 property.

16 (b) With approval of the Speaker of the House and the President Pro
17 Tempore, as appropriate, the House Committee on Corrections and Institutions
18 and the Senate Committee on Institutions may meet up to one time when the
19 General Assembly is not in session to evaluate the proposal described in
20 subsection (a) of this section and make a recommendation on the site location
21 to the Joint Fiscal Committee. The Committees shall notify the Commissioner

1 of Buildings and General Services, the Secretary of Agriculture, Food and
2 Markets, and the Secretary of Natural Resources prior to holding a meeting
3 pursuant to this subsection. Committee members shall be entitled to receive a
4 per diem and expenses as provided in 2 V.S.A. § 406.

5 (c) The Joint Fiscal Committee shall review the recommendation of the
6 Committees described in subsection (b) of this section at its September 2014
7 meeting. If the Joint Fiscal Committee so determines, it shall approve the
8 proposal as recommended by the Committees.

9 (d) On or before December 1, 2014, the Department of Buildings and
10 General Services, in consultation with the Agency of Agriculture, Food and
11 Markets and the Agency of Natural Resources, shall develop a detailed
12 proposal on the site location recommended by the Committees if approved by
13 the Joint Fiscal Committee. The proposal shall include programming, size,
14 design, and preliminary cost estimates for a shared laboratory. The proposal
15 shall also include an evaluation of the current Agency of Agriculture, Food and
16 Markets and the Agency of Natural Resources programs located in the leased
17 space at 322 Industrial Lane in Berlin. The Department of Buildings and
18 General Services is authorized to use funds appropriated in 2013 Acts and
19 Resolves No. 51, Sec. 2, as amended by Sec. 1 of this act, for any costs
20 associated with the proposal.

1 (e) The Commissioner of Buildings and General Services shall notify the
2 House Committee on Corrections and Institutions and the Senate Committee
3 on Institutions at least monthly of updates on the proposals described in
4 subsections (a) and (d) of this section.

5 * * * Education * * *

6 Sec. 34. ENHANCED 911 PROGRAM; IMPLEMENTATION IN
7 SCHOOL DISTRICTS

8 (a) The Enhanced 911 Board, in consultation with the Agency of
9 Education, shall conduct a Statewide assessment in each school district to
10 determine the needs for compliance with the Enhanced 911 Program.

11 (b) On or before January 15, 2015, the Enhanced 911 Board shall report the
12 results of the assessment described in subsection (a) of this section to the
13 House Committee on Corrections and Institutions and the Senate Committee
14 on Institutions.

15 * * * Human Services * * *

16 Sec. 35. 2013 Acts and Resolves No. 51, Sec. 40 is amended to read:

17 Sec. 40. SECURE RESIDENTIAL FACILITY

18 Pursuant to the Level 1 Psychiatric Care Evaluation required by the ~~Fiscal~~
19 ~~Year~~ fiscal year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of
20 Buildings and General Services, in consultation with the Commissioners of

1 Mental Health and Corrections, shall develop a proposal to establish a
2 permanent secure residential facility no later than January 15, 2015.

3 Sec. 36. VERMONT PSYCHIATRIC CARE HOSPITAL; CERTIFICATE
4 OF NEED; FEDERAL MATCH

5 The Commissioner of Buildings and General Services is authorized to
6 transfer the sum of \$447,928.05 from the amount authorized in 2013 Acts and
7 Resolves No. 51, Sec. 2(b)(15)(A) to the Agency of Human Services if State
8 funding is required to match federal funds for eligible project costs required
9 under the Certificate of Need for the Vermont Psychiatric Care Hospital.

10 * * * Judiciary * * *

11 Sec. 37. COUNTY COURTHOUSES; PLAN

12 (a) Pursuant to the restructuring of the Judiciary in 2009 Acts and Resolves
13 No. 154, the Court Administrator and the Commissioner of Buildings and
14 General Services shall evaluate the scope of the State's responsibility for
15 maintaining county courthouses, including Americans with Disabilities Act
16 (ADA) compliance and whether an emergency fund is necessary for
17 construction or renovation projects at county courthouses.

18 (b) On or before January 15, 2015, the Judiciary shall report to the House
19 Committee on Corrections and Institutions and the Senate Committee on
20 Institutions with the results of the evaluation.

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* * * Public Safety * * *

Sec. 38. 2013 Acts and Resolves No. 51, Sec. 48 is amended to read:

Sec. 48. PUBLIC SAFETY FIELD STATION PROJECT

The Department of Buildings and General Services, in consultation with the Department of Public Safety, is authorized to use appropriations in Sec. 13 of this act to conduct feasibility studies, and identify and purchase land for future public safety field station sites. If the Department of Buildings and General Services proposes to purchase property when the General Assembly is not in session, the Commissioner of Buildings and General Services shall notify the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions of the proposal. In the event that land is identified for Troop B of the Vermont State Police, then the Department of Public Safety shall hold public meetings in the affected communities for public input on the proposal. The Department of Public Safety shall notify the House Committee on Corrections and Institutions and the Senate Committee on Institutions on the results of the meeting when the General Assembly is in session, and the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions when the General Assembly is not in session. The General Assembly encourages the affected communities to contact the Department of Public Safety to review any proposals as they develop.

1 Sec. 39. VERMONT STATE POLICE; SALE OF WEST BRATTLEBORO
2 AND ROCKINGHAM BARRACKS

3 The Commissioner of Buildings and General Services is authorized to sell
4 the West Brattleboro Troop Headquarters in the Town of West Brattleboro and
5 the Rockingham Troop Headquarters in the Town of Rockingham. The net
6 proceeds of any sale shall be reallocated to the Department of Public Safety for
7 the purposes described in 2013 Acts and Resolves No. 51, Sec. 13(d).

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

9 Sec. 40. ENERGY EFFICIENCY; STATE LEASES

10 The Commissioner of Buildings and General Services shall develop a set of
11 criteria and guidelines to evaluate and, where appropriate, incorporate the use
12 of energy efficiency measures, thermal energy conservation measures, and
13 renewable energy resources in buildings and facilities leased by the State.

14 Sec. 41. 29 V.S.A. § 168 is amended to read:

15 § 168. STATE RESOURCE ENERGY MANAGEMENT PROGRAM;

16 REVOLVING FUNDS

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

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

1 replacement, studies, weatherization, ~~and~~ construction of improvements
2 affecting the use of energy resources, the implementation of energy efficiency
3 and conservation measures, and the use of renewable resources.

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

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

17 (b) State Resource Management Revolving Fund.

18 (1) There is established a Resource Management Revolving Fund to
19 provide revenue for implementation of resource conservation measures
20 anticipated to generate a life cycle cost benefit to the State. All State agencies
21 responsible for development and operations and maintenance of State

1 infrastructure shall have access to the Resource Management Revolving Fund
2 on a priority basis established by the Commissioner.

3 (2) The Fund shall consist of:

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

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

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

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

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

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

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

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

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

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

8 (c) Energy Revolving Fund.

9 (1) There is established an Energy Revolving Fund to finance energy
10 efficiency improvements and the use of renewable resources in State buildings
11 and facilities anticipated to generate a cost-savings to the State. State agencies
12 and departments shall have access to the Energy Revolving Fund on a priority
13 basis established by the Commissioner and the State Treasurer.

14 (2) The Fund shall consist of:

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

17 (B) monies saved by the implementation of energy efficiency
18 improvements and the use of renewable resources;

19 (C) any funds available through a credit facility maintained by the
20 State Treasurer in accordance with subsection (d) of this section; and

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

4 (3) Monies from the Fund shall be expended by the Commissioner for
5 measures anticipated to generate a cost-savings to the State and costs involved
6 with the administration of the State agency energy plan as determined by the
7 Commissioner.

8 (4) The Commissioner and the State Treasurer shall establish criteria to
9 determine eligibility for funding of energy efficiency improvements and the
10 use of renewable resources, including returns of investment on terms
11 acceptable to the State Treasurer.

12 (5) Agencies and departments receiving funding shall repay the Fund
13 through their regular operating budget according to a schedule established by
14 the Commissioner. Repayment shall include charges of fees for administrative
15 costs over the term of the repayment.

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

18 (7) The Commissioner of Buildings and General Services shall maintain
19 accurate and complete records of all receipts by and expenditures from the
20 Fund.

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

5 (d) Notwithstanding any other provision of law to the contrary, the State
6 Treasurer, working in collaboration with the Department of Buildings and
7 General Services, shall have the authority to establish a credit facility of up to
8 \$8,000,000.00, on terms acceptable to the State Treasurer. The credit facility
9 shall be used for the purpose of financing energy efficiency improvements and
10 the use of renewable resources anticipated to generate a cost-savings to the
11 State.

12 (e) As used in this section:

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

19 (2) “Renewables” shall have the same meaning as under 30 V.S.A.
20 § 8002.

