

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

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

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

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

10 Sec. 2. STATE BUILDINGS

11 \* \* \*

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

13 \* \* \*

14 (5) Statewide, BGS engineering and architectural project

15 costs: \$2,982,132.00 [\$3,196,163.00]

**Comment [RDW1]:** Pursuant to Section 2(e) of last year's bill. Committee to evaluate funding for engineering costs in FY 2015.

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

17 supplemental funds: [\$3,000,000.00]

**Comment [RDW2]:** Committee to discuss whether to include additional language on true-up.

18 (12) Vergennes, Weeks School, master plan; provided that the funds are

19 matched by an equal contribution from local and regional organizations of

20 government: [\$15,000.00]

**Comment [RDW3]:** Need clarification from BGS about who this is referring to?

1           (13) Agency of Agriculture, Food and Markets and Agency of Natural

2 Resources laboratory: [\$500,000.00]

**Comment [RDW4]:** BGS to provide additional information on what funds will be used for.

3           (14) Department of Buildings and General Services, project

4 management software: [\$250,000.00]

5           (15) Barre, McFarland State Office Building, retaining wall; matching

6 funds:  
7 [\$113,200.00]

**Comment [RDW5]:** BGS to report to Committee on whether funds will be matched.

8           (16) Montpelier, State Auditor’s Office; 132 State Street, planning:

9 [\$15,000.00]

10   \* \* \*

11 Appropriation – FY 2015                                     \$45,742,126.00

12 Total Appropriation – Section 2                         \$98,203,258.00

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

14 Sec. 4. HUMAN SERVICES

15   \* \* \*

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

19   \* \* \*

20           (3) Correctional Facilities, suicide abatement projects at SSCF and  
21 SESCE: [\$200,000.00]

1 (4) Correctional Facility, security enhancements and cameras,  
2 replacement for all facilities: **[\$250,000.00]**

3 (5) SDCF, installation of a new security gate and security cage over  
4 camera, installation of gurney lift to accommodate geriatric residents and  
5 recreational yard improvements: **[\$90,000.00]**

6 (6) NCSF, reconstruction of the kitchen and serving line to improve  
7 safety and security and to expand kitchen space to allow increased serving  
8 capacity: **[\$160,000.00]**

9 (7) Installation of new security fencing to support program and provide  
10 a more secure setting: **[\$181,000.00]**

11 \* \* \*

13 Appropriation – FY 2015 \$6,100,000.00

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

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

16 Sec. 5. JUDICIARY

17 \* \* \*

18 (c) The sum of \$100,000.00 is appropriated in FY 2015 to the Department  
19 of Buildings and General Services on behalf of the Judiciary for the planning,  
20 monitoring, and design of the Caledonia courthouse wall stabilization and  
21 foundation project.

**Comment [RDW6]:** Where is this being installed?

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

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

5 Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

6 \* \* \*

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

9 \* \* \*

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

12 \* \* \*

13	Appropriation – FY 2015	\$250,000.00
14	Total Appropriation – Section 6	\$690,000.00

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

16 Sec. 8. EDUCATION

17 \* \* \*

18 (b) The sum of ~~\$10,411,446~~ [\$10,354,690] is appropriated in FY 2015 to  
19 the Agency of Education for funding the ~~state~~ State share of completed school  
20 construction projects pursuant to 16 V.S.A. § 3448. ~~It is the intent of the~~

1 ~~General Assembly that the funds appropriated in this subsection are committed~~  
2 ~~funds not subject to budget adjustment.~~

3	Appropriation – FY 2014	\$6,704,634.00
4	Appropriation – FY 2015	\$10,411,446.00
5	Total Appropriation – Section 8	\$17,116,080.00

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

7 Sec. 11. NATURAL RESOURCES

8 \* \* \*

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

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

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

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

14 \* \* \*

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

16 \* \* \*

17 (C) EcoSystem restoration and protection:

18 \$2,073,732.00 \$2,573,732.00

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

20 [\$307,000.00]

21 \* \* \*

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

5 (B) the Agency of Natural Resources for the Department of Forests,  
6 Parks and Recreation for the purchase of easements on behalf of the Green  
7 Mountain Club: **[\$100,000.00]**

8 \* \* \*

9  
10 Appropriation – FY 2015 \$7,881,732.00  
11 Total Appropriation – Section 11 \$21,654,282.00

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

13 Sec. 13. PUBLIC SAFETY

14 \* \* \*

15 (f) The sum of **[\$36,000.00]** is appropriated in FY 2015 to the Department  
16 of Public Safety to provide evidence storage units for the Vermont State Police  
17 to maintain its accreditation through the Commission on Accreditation for Law  
18 Enforcement (CALEA) at existing barracks not yet renovated: **[\$36,000.00]**

**Comment [RDW7]:** Do they currently have accreditation?

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

1 Sec. 8. 2013 Acts and Resolves No. 51, Sec. 15 is amended to read:

2 Sec. 15. VERMONT PUBLIC TELEVISION

3 \* \* \*

4 (b) The sum of ~~\$200,000.00~~ \$260,734.00 is appropriated in FY 2015 to  
5 Vermont Public Television for transmission security.

6	Appropriation – FY 2014	\$205,750.00
7	Appropriation – FY 2015	<del>\$200,000.00</del>
8	Total Appropriation – Section 15	\$405,750.00

9 Sec. 9. 2013 Acts and Resolves No. 51, Sec. 19 is amended to read:

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

11 \* \* \*

12 (d) The following sums are reallocated to the Department of Buildings and  
13 General Services to defray expenditures authorized in Sec. 2 of this act, to the  
14 Judiciary to defray expenditures authorized in [Sec. X] of this act, to the  
15 Agency of Commerce and Community Development in [Sec. X] of this act, the  
16 Agency of Natural Resources in [Sec. X] of this act, the Department of Public  
17 Safety in [Sec. X] of this act, and the Vermont Public Television in [Sec. X] of  
18 this act:

19 (1) of the amount appropriated in 2006 Acts and Resolves No. 147,  
20 Sec. 3 (Health and Public Safety Lab): \$958.58

**Comment [RDW8]:** VPT requested funding be allocated for FY 2014.

**Comment [RDW9]:** Reallocation amounts should be broken down by Section or Agency/Department.

1	<u>(2) of the amount appropriated in 2007 Acts and Resolves, No. 52,</u>	
2	<u>Sec. 3 and 2007 Acts and Resolves No. 200, Sec. 31(d):</u>	<u>\$72,349.59</u>
3	<u>(3) of the amount appropriated in 2008 Acts and Resolves No. 200,</u>	
4	<u>Sec. 3 (co-location of health and forensic lab):</u>	<u>\$13,163.00</u>
5	<u>(4) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
6	<u>(major maintenance):</u>	<u>\$7,038.60</u>
7	<u>(5) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
8	<u>(State buildings, various projects):</u>	<u>13,876.46</u>
9	<u>(6) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
10	<u>(State buildings, various projects, Springfield switchgear):</u>	<u>\$2,134.48</u>
11	<u>(7) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
12	<u>Sec. 4(d) (Montpelier flood control):</u>	<u>\$42,273.30</u>
13	<u>(8) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
14	<u>Sec. 12(d) (Montpelier flood control):</u>	<u>\$175,201.00</u>
15	<u>(9) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
16	<u>Sec. 1 (major maintenance):</u>	<u>\$11,656.44</u>
17	<u>(10) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
18	<u>Sec. 1 (State buildings, various projects):</u>	<u>\$200,000.00</u>
19	<u>(11) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
20	<u>Sec. 1 (Waterbury complex, fire alarm panels and door holders):</u>	<u>\$38,590.72</u>

**Comment [RDW10]:** This should be separated out into two lines.



1	<u>(12) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
2	<u>Sec. 1 (Bennington State Office Buildings and Courthouse):</u>	<u>\$79,218.54</u>
3	<u>(13) of the amount appropriated in 2010 Acts and Resolves No. 161,</u>	
4	<u>Sec 14 (Public Safety headquarters):</u>	<u>\$11,757.61</u>
5	<u>(14) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
6	<u>Sec. 2(b) (Statewide contingency):</u>	<u>\$1,473.51</u>
7	<u>(15) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
8	<u>Sec. 2(b) (major maintenance):</u>	<u>\$53,676.67</u>
9	<u>(16) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
10	<u>Sec. 2(b) (120 State Street restroom renovations):</u>	<u>\$1,960.39</u>
11	<u>(17) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
12	<u>Sec. 2(b) (St. Albans Correctional Facility maintenance shop):</u>	<u>\$5,360.00</u>
13	<u>(18) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
14	<u>Sec. 2(b) (Statehouse committee rooms):</u>	<u>\$7,337.97</u>
15	<u>(19) of the amount appropriated in 2012 Acts and Resolves No. 40,</u>	
16	<u>Sec. 2(b) (engineering and architectural costs):</u>	<u>\$95,639.98</u>
17	<u>(20) of the amount appropriated in 2013 Acts and Resolves No. 51,</u>	
18	<u>Sec. 21 (proceeds from sale of building 617):</u>	<u>\$2,030,078.21</u>
19	Total Reallocations and Transfers – Section 19	<u>\$5,728,049.74</u>

**Comment [RDW11]:** Does this need to be reallocated? Sec. 21 allocates the proceeds to BGS; There is also language amending Sec. 21 (see below)

1 Sec. 10. 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 \$3,812,914.00 that were previously authorized but  
6 unissued under 2013 Acts and Resolves No. 51, Sec. 20(c) for FY 2014 for the  
7 purpose of funding the appropriations of this act.

8 Total Revenues – Section 20                      ~~\$167,503,320.00~~ \$171,316,234.04

**Comment [RDW12]:** Need more information on why this language is needed; Language refers to Section 20(c) which does not exist.

9 Sec. 11. 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(e)(10) of this act.~~

**Comment [RDW13]:** If this language is deleted, why include a reallocation?

19 \* \* \* Policy \* \* \*

20 \* \* \* Buildings and General Services \* \* \*

1 Sec. 12. 29 V.S.A. § 43 is amended to read:

2 § 43. ART ACQUISITION FUND

3 (a) An ~~art acquisition fund~~ Art Acquisition Fund is created to finance the  
4 design, construction, and purchase or commissioning of works of art to be  
5 included as an integral part of the structure of ~~state~~ State buildings and  
6 facilities. Such works of art may be attached to the structure or may be  
7 detached within or outside the structure.

8 (b) Amounts in the ~~art acquisition fund~~ Art Acquisition Fund at the end of  
9 each fiscal year shall not revert to the ~~general fund~~ General Fund.

10 (c) Amounts in the fund shall be expended upon order of the ~~council~~  
11 Council for acquisition ~~or~~, commissioning, and installation of works of art and  
12 for administration, as provided in this chapter. The selection, budgeting, and  
13 purchase of works of art shall include costs for any necessary site preparation  
14 or improvements; decorative or landscape elements peripheral to the artwork;  
15 any associated services such as water, electricity, or lighting; and any other  
16 costs associated with installation of works of art.

17 Sec. 13. 29 V.S.A. § 44 is amended to read:

18 § 44. FUNDS TRANSFER FOR ART

19 (a) The Commissioner of Buildings and General Services, with the  
20 approval of the Secretary of Administration, may transfer up to \$50,000.00 in  
21 any single fiscal year to the Art Acquisition Fund, from capital funds

**Comment [RDW14]:** Committee to discuss whether to amend any other sections of the Art in State Buildings chapter.

1 appropriated for projects which are eligible for the installation of works of art  
2 under this chapter.

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

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

8 (d) No funds shall be transferred to the Art Acquisition Fund or otherwise  
9 expended in support of the Art in State Buildings Program by the  
10 Commissioner of Buildings and General Services except as provided under  
11 subsection (a) of this section.

12 Sec. 14. REPEAL; USE AND DEVELOPMENT OF STATE FACILITIES

13 AND LAND; SPRINGFIELD CORRECTIONAL FACILITY

14 2010 Acts and Resolves No. 161, Sec. 26(c)(2)(improvements and upgrades  
15 to the municipal water system at the Springfield Correctional Facility) is  
16 repealed.

17 Sec. 15. 2 V.S.A. § 651 is amended to read:

18 § 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE

19 HOUSE

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

**Comment [RDW15]:** Is repeal required?  
\$200,000 appropriated for this project. Will it be  
reallocated?

1 (b) The ~~committee~~ Committee shall be composed of 11 members: ~~three~~  
2 ~~members of the house of representatives appointed by the speaker; three~~  
3 ~~members of the senate appointed by the committee on committees; the chair of~~  
4 ~~the board of trustees of the friends of the Vermont state house; the director of~~  
5 ~~the Vermont historical society; the director of the Vermont council on the arts;~~  
6 ~~the commissioner of buildings and general services; and the sergeant at arms~~

7 (1) the Lieutenant Governor or designee;

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

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

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

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

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

14 (7) the Chair of the Board of Trustees of the Friends of the Vermont  
15 State House;

16 (8) the Sergeant at Arms

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

18 (10) the State Curator; and

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

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

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

4 (1) at least once each quarter;

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

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

8 Sec. 16. 2 V.S.A. § 653 is amended to read:

9 § 653. FUNCTIONS

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

15 (b) The ~~sergeant-at-arms~~ Sergeant at Arms and the ~~commissioner of~~  
16 ~~buildings and general services~~ Commissioner of Buildings and General  
17 Services, in discharging responsibilities under subdivision 62(a)(7) of this title  
18 and 29 V.S.A. § 154(a), respectively, shall consider the recommendations of  
19 the ~~advisory committee~~ Advisory Committee. ~~The advisory committee~~  
20 ~~recommendations shall be advisory only.~~

1        (c) The Advisory Committee may develop and issue policy and procedure  
2        statements.

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

4        § 154. PRESERVATION OF STATE HOUSE AND HISTORIC STATE  
5        BUILDINGS

6        (a) The ~~commissioner of buildings and general services~~ Commissioner of  
7        Buildings and General Services shall give special consideration to the ~~state~~  
8        ~~house~~ State House as a building of first historical importance and significance.  
9        He or she shall preserve the ~~state house~~ State House structure and its unique  
10       interior and exterior architectural form and design, with particular attention to  
11       the detail of form and design, in addition to keeping the buildings, its  
12       furnishings, facilities, appurtenances, appendages, and grounds surrounding  
13       and attached to it in the best possible physical and functional condition. ~~No~~ A  
14       change, alteration, addition, or removal in form, materials, design, architectural  
15       detail, ~~furnishing~~ furnishings, fixed in place or otherwise, interior or exterior,  
16       of the ~~state house~~ State House, may not be made without legislative mandate.  
17       Emergency and immediately necessary repairs may, however, be made without  
18       legislative mandate upon prior approval of the ~~governor~~ Secretary of  
19       Administration.

20       (b) The ~~commissioner of buildings and general services~~ Commissioner of  
21       Buildings and General Services, as time and funds permit, shall prepare such

1 records as will permit the reproduction of ~~state-owned~~ State-owned historic  
2 buildings should any of them be destroyed.

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

5 \* \* \* Human Services \* \* \*

6 Sec. 18. 2013 Acts and Resolves No. 51, Sec. 40 is amended to read:

7 Sec. 40. SECURE RESIDENTIAL FACILITY

8 Pursuant to the Level 1 Psychiatric Care Evaluation required by the Fiscal  
9 Year 2014 Appropriations Act, Sec. E.314.2, the Commissioner of Buildings  
10 and General Services shall develop a proposal to establish a permanent secure  
11 residential facility no later than January 15, ~~2015~~ 2016.

12 \* \* \* Administration \* \* \*

13 Sec. 19. 3 V.S.A. § 2293(b) is amended to read:

**Comment [RDW16]:** Need more information

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



1 groups to support its mission, drawing membership from any agency or  
2 department of State government. The interagency work groups shall evaluate,  
3 test the feasibility of, and suggest alternatives to economic development  
4 proposals to it for consideration. The Development Cabinet shall refer to  
5 appropriate interagency workgroups any economic development proposal that  
6 has a significant impact on the inventory or use of State land or buildings.

7 \* \* \* Energy Use on State Properties \* \* \*

8 Sec. 20. 29 V.S.A. § 165(j) is added to read:

9 (j) The Department of Buildings and General Services shall evaluate the  
10 use of energy efficiency measures, thermal energy conservation measures, and  
11 renewable energy sources in any building or structure that the Department  
12 considers leasing. The Commissioner of Buildings and General Services shall  
13 develop a set of criteria and guidelines to determine what sources and  
14 measures will be incorporated into the design of the new leased space or lease  
15 renewals.

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

17 § 168. STATE RESOURCE ENERGY MANAGEMENT PROGRAM;

18 REVOLVING FUNDS

19 (a) Resource State energy management program. The

20 (1) There is established within the Department shall be responsible of  
21 Buildings and General Services an Energy Management Program for

**Comment [RDW17]:** Committee to review Energy Revolving Fund language.

**Comment [RDW18]:** There is an open question as to whether to fit energy revolving fund language into the existing statute as currently drafted here.

1 administering the interest of the State in all ~~resource conservation~~ energy  
2 management measures in State buildings and facilities, including equipment  
3 replacement, studies, weatherization, ~~and~~ construction of improvements  
4 affecting the use of energy resources, the implementation of energy efficiency  
5 and conservation measures, and the use of renewable energy resources. In this  
6 section, “renewable energy” shall have the same meaning as under 30 V.S.A.  
7 § 8002.

**Comment [RDW19]:** Should the use of renewables be included?

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

**Comment [RDW20]:** What is a “resource conservation” measure? How is it different from an energy efficiency measure?

**Comment [RDW21]:** If you just say “energy” efficiency that can include both thermal and electric. The two categories can overlap because electric can be used for thermal purposes. Is that the intention here?

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

1 (b) State Resource Management Revolving Fund.

2 (1) There is established a Resource Management Revolving Fund to  
3 provide revenue for implementation of resource conservation measures  
4 anticipated to generate a life cycle cost benefit to the State. All State agencies  
5 responsible for development and operations and maintenance of State  
6 infrastructure shall have access to the Resource Management Revolving Fund  
7 on a priority basis established by the Commissioner.

8 (2) The Fund shall consist of:

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

11 (B) ~~Monies~~ monies saved by the implementation of resource  
12 management conservation measures-; and

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

16 (D) ~~{Deleted.}~~ [Repealed.]

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

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

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

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

9 (7) The Commissioner of Buildings and General Services shall maintain  
10 accurate and complete records of all receipts by and expenditures from the  
11 Fund.

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

14 (c) Energy Revolving Fund.

15 (1) There is established an Energy Revolving Fund to finance energy  
16 efficiency improvements and the use of renewable energy resources in State  
17 buildings and facilities for cost-effective measures anticipated to benefit the  
18 State. The Department of Buildings and General Services shall have access to  
19 the Energy Revolving Fund on a priority basis established by the  
20 Commissioner and the State Treasurer.

21 (2) The Fund shall consist of:

**Comment [RDW22]:** Is this possible with financing renewables? How will cost-effectiveness be measured? On a life-cycle basis?

**Comment [RDW23]:** Should other agencies/departments have access to the fund?

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

3           (B) monies saved by the implementation of energy efficiency and the  
4 use of renewable resources;

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

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

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

14           (4) The Commissioner, in consultation with the State Treasurer, shall  
15 establish criteria to determine eligibility for funding of energy efficiency and  
16 the use of renewable resources.

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

**Comment [RDW24]:** If other agencies/departments are able to access the fund (See question above), they would make repayments through their operating budgets.

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; provided, however, that any amounts received in  
8 repayment of the credit facility established under subsection (d) of this section  
9 may be reinvested by the State Treasurer.

10          (d) Notwithstanding any other provision of law to the contrary, the State  
11 Treasurer, working in collaboration with the Department of Buildings and  
12 General Services, shall have the authority to establish a credit facility of up to  
13 \$4,000,000.00, on terms acceptable to the State Treasurer. The credit facility  
14 shall be used for the purpose of financing cost-effective energy efficiency  
15 improvements and the use of renewable sources in State buildings and  
16 facilities.

17                                   \* \* \* Effective Date \* \* \*

18          Sec. 22. EFFECTIVE DATE

19           This act shall take effect on passage.