

1 Introduced by Corrections and Institutions

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

12 * * *

13 (F) A special committee consisting of the Joint Fiscal Committee and
14 the Chairs of the House Committee on Corrections and Institutions and the
15 Senate Committee on Institutions (“Special Committee”) is hereby established.

16 If there are any material changes to the planning or funding of the Waterbury
17 State Office Complex, the Special Committee shall meet to review and
18 approve these changes at the next regularly scheduled meeting of the Joint
19 Fiscal Committee or at an emergency meeting called by the Chairs of the
20 House Committee on Corrections and Institutions, the Senate Committee on

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

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

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

11 (i) increases the total original project cost estimate by ~~10~~ 5 percent
12 or more; or

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

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

18 * * *

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

20 * * *

1 (5) Statewide, BGS engineering, project management, and architectural
2 project costs: ~~\$2,982,132.00~~ \$3,446,163.00

3 * * *

4 (11) Montpelier, capitol district heat plant, 122 State Street
5 supplemental funds: \$3,000,000.00

6 (12) Agency of Agriculture, Food and Markets and Agency of Natural
7 Resources, laboratory, development of proposal for site location,
8 programming, and design: \$300,000.00

9 (13) Permanent secure residential facility, proposal (as described in
10 2013 Acts and Resolves No. 51, Sec. 40): \$50,000.00

11 (14) Vergennes, Weeks School, master plan (as described in Sec. 19 of
12 this act): \$50,000.00

13 (15) State House, elevator, upgrades and repair: \$167,000.00

14 (16) Barre, McFarland State Office Building, retaining wall:
15 \$68,000.00

16 (17) Montpelier, State Auditor’s Office, planning: \$20,000.00

17 * * *

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

1 Sec. 49 of this act. It is also the intent of the General Assembly that the
2 Commissioner of Buildings and General Services may:

3 (1) use up to \$360,000.00 of the funds appropriated in subdivisions
4 (b)(5) and (c)(5) of this section for the purpose of funding four limited service
5 positions in the Department of Buildings and General Services created for
6 engineering-related work pursuant to the 2013 Acts and Resolves No. 50,
7 Sec. E.100(b)(1) (FY 2014 Appropriations Act); and

8 (2) use up to \$250,000.00 of the funds appropriated in subdivision (c)(5)
9 of this section for the purpose of supporting the Department of Buildings and
10 General Services in implementing a project management system.

11 * * *

12 (f) It is the intent of the General Assembly that the amount appropriated in
13 subdivision (c)(16) of this section shall be used to repair the State-owned
14 portion of the retaining wall near the McFarland State Office Building in
15 Barre. The Commissioner of Buildings and General Services shall work with
16 the owner of the portion of the retaining wall that is not owned by the State to
17 ensure the integrity of the wall.

18	Appropriation – FY 2015	\$45,742,126.00	<u>\$49,861,157.00</u>
19	Total Appropriation – Section 2	<u>\$98,203,258.00</u>	<u>\$102,322,289.00</u>

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

2 Sec. 4. HUMAN SERVICES

3 * * *

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

7 * * *

8 (3) Correctional facilities, suicide abatement projects at Southern State
9 Correctional Facility and Southeast State Correctional Facility: \$200,000.00

10 (4) State correctional facilities, security enhancements and cameras,
11 replacement for all facilities: \$250,000.00

12 (5) Southern State Correctional Facility, installation of a new security
13 gate and security cage over camera, installation of gurney lift to accommodate
14 geriatric residents, and recreational yard improvements: \$90,000.00

15 (6) Northern State Correctional Facility, reconstruction of the kitchen
16 and serving line to improve safety and security and to expand kitchen space to
17 allow increased serving capacity: \$160,000.00

18 (7) Woodside Juvenile Rehabilitation Center, installation of new
19 security fencing to support program and provide a more secure setting:
20 \$181,000.00

21 * * *

1 Appropriation – FY 2015 \$~~6,100,000.00~~ \$6,981,000.00
2 Total Appropriation – Section 4 \$~~11,300,000.00~~ \$12,181,000.00

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

4 Sec. 5. JUDICIARY

5 * * *

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

10 (d) The sum of \$45,387.00 is appropriated in FY 2015 to the Department of
11 Buildings and General Services on behalf of the Judiciary for ADA compliance
12 and life and safety requirements at the Windsor County courthouse.

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

14 Appropriation – FY 2015 \$~~2,500,000.00~~ \$2,645,387.00

15 Total Appropriation – Section 5 \$~~3,500,000.00~~ \$3,645,387.00

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

17 Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

18 * * *

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

21 * * *

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

3 * * *

4 Appropriation – FY 2015	\$250,000.00	<u>\$278,000.00</u>
5 Total Appropriation – Section 6	\$690,000.00	<u>\$718,000.00</u>

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

7 Sec. 8. EDUCATION

8 * * *

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

14 Appropriation – FY 2014	\$6,704,634.00	
15 Appropriation – FY 2015	\$10,411,446.00	<u>\$10,354,690.00</u>
16 Total Appropriation – Section 8	\$17,116,080.00	<u>\$17,059,324.00</u>

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

18 Sec. 11. NATURAL RESOURCES

19 * * *

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

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

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

3 (CWSRF) match: \$700,000.00 \$1,114,000.00

4 * * *

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

6 * * *

7 (C) EcoSystem restoration and protection:

8 \$2,073,732.00 \$2,573,732.00

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

10 \$307,000.00

11 * * *

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

13 Parks and Recreation for statewide small scale rehabilitation, wastewater

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

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

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

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

18 Mountain Club: \$100,000.00

19 * * *

20 Appropriation – FY 2015 \$7,881,732.00 \$9,202,732.00

21 Total Appropriation – Section 11 \$21,654,282.00 \$22,975,282.00

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

2 Sec. 13. PUBLIC SAFETY

3 * * *

4 (d) The sum of ~~\$300,000.00~~ \$200,000.00 is appropriated in FY 2015 for
5 the project described in subsection (c) of this section.

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 an operational governance and planning model for the operation,
14 financial integrity, and maintenance of the Robert H. Wood Criminal Justice
15 and Fire Service Training Center in Pittsford. On or before January 15, 2015,
16 the Department of Buildings and General Services shall submit this plan to the
17 House Committee on Corrections and Institutions and the Senate Committee
18 on Institutions: \$50,000.00

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

20 Appropriation – FY 2015 ~~\$3,400,000.00~~ \$3,386,000.00

21 Total Appropriation – Section 13 ~~\$7,000,000.00~~ \$6,986,000.00

1 Sec. 8. 2013 Acts and Resolves No. 51, Sec. 17 is amended to read:

2 Sec. 17. VERMONT VETERANS' HOME

3 * * *

4 (e) The sum of \$435,000.00 is appropriated in FY 2015 to the Department
5 of Buildings and General Services for the Vermont Veterans' Home for
6 kitchen renovations.

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

8 Appropriation – FY 2015 \$435,000.00

9 Total Appropriation – Section 17 \$1,651,000.00

10 Sec. 9. 2013 Acts and Resolves No. 51, Sec. 18a is amended to read:

11 Sec. 18a. ENHANCED 911 PROGRAM

12 * * *

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

15 * * *

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

17 Sec. 10. 2013 Acts and Resolves No. 51, Sec. 19 is amended to read:

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

19 * * *

20 (d) The following sums are reallocated to defray expenditures authorized in
21 this act:

1	<u>(1) of the amount appropriated in 1993 Acts and Resolves No. 59, Sec.</u>	
2	<u>11 (Drinking Water Supply Projects):</u>	<u>\$5,062.78</u>
3	<u>(2) of the amount appropriated in 2002 Acts and Resolves No. 149,</u>	
4	<u>Sec. 15 (State’s Attorneys and Sheriffs, case management software system):</u>	
5		<u>\$54,877.31</u>
6	<u>(3) of the amount appropriated in 2004 Acts and Resolves No. 121,</u>	
7	<u>Sec. 10 (Fish and Wildlife, species recovery plan):</u>	<u>\$82.63</u>
8	<u>(4) of the amount appropriated in 2005 Acts and Resolves No. 43, Sec. 9</u>	
9	<u>(State-owned dams, maintenance):</u>	<u>\$0.19</u>
10	<u>(5) of the amount appropriated in 2006 Acts and Resolves No.147,</u>	
11	<u>Sec. 10 (State-owned dams, maintenance):</u>	<u>\$18,934.32</u>
12	<u>(6) of the amount appropriated in 2006 Acts and Resolves No. 147,</u>	
13	<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$985.58</u>
14	<u>(7) of the amount appropriated in 2007 Acts and Resolves, No. 52,</u>	
15	<u>Sec. 3 (Health and Public Safety Lab):</u>	<u>\$93,006.05</u>
16	<u>(8) of the amount appropriated in 2008 Acts and Resolves No. 200,</u>	
17	<u>Sec. 3 (co-location of Health and Forensic Lab):</u>	<u>\$13,163.00</u>
18	<u>(9) of the amount appropriated in 2009 Acts and Resolves No. 43, Sec. 1</u>	
19	<u>(State buildings, major maintenance and various projects):</u>	<u>\$24,914.89</u>
20	<u>(10) of the amount appropriated in 2009 Acts and Resolves No. 43,</u>	
21	<u>Sec. 9 (Fish hatcheries, biosecurity):</u>	<u>\$38.27</u>

1 (11) of the amount appropriated in 2009 Acts and Resolves No. 43,
2 Sec. 9 (Montpelier flood control): \$42,273.30
3 (12) of the amount appropriated in 2010 Acts and Resolves No. 161,
4 Sec. 1 (Statewide, major maintenance): \$11,656.44
5 (13) of the amount appropriated in 2010 Acts and Resolves No. 161,
6 Sec. 1 (Waterbury, State office complex, fire alarm panels and door holders):
7 \$38,590.72
8 (14) of the amount appropriated in 2010 Acts and Resolves No. 161,
9 Sec. 1 (Bennington State Office Building, geothermal energy project):
10 \$79,218.54
11 (15) of the amount appropriated in 2010 Acts and Resolves No. 161,
12 Sec. 8 (Austine School, Holton Hall, renovations): \$11,962.03
13 (16) of the amount appropriated in 2010 Acts and Resolves No. 161,
14 Sec. 12 (Ecosystem restoration and protection): \$7,000.00
15 (17) of the amount appropriated in 2010 Acts and Resolves No. 161,
16 Sec. 12 (Lamprey Control Project): \$0.40
17 (18) of the amount appropriated in 2010 Acts and Resolves No. 161,
18 Sec. 12 (Montpelier flood control): \$175,201.00
19 (19) of the amount appropriated in 2010 Acts and Resolves No. 161,
20 Sec. 12 (Water pollution control projects): \$0.01

1 (20) of the amount appropriated in 2010 Acts and Resolves No. 161,
2 Sec. 14 (Waterbury, Public Safety headquarters, repairs): \$11,757.61
3 (21) of the amount appropriated in 2010 Acts and Resolves No. 161,
4 Sec. 26 (Springfield, municipal water system): \$200,000.00
5 (22) of the amount appropriated in 2010 Acts and Resolves No. 161,
6 Sec. 20 (Center for Crime Victim Services): \$344.31
7 (23) of the amount appropriated in 2011 Acts and Resolves No. 40,
8 Sec. 2 (Statewide buildings, reuse and planning): \$32,349.59.00
9 (24) of the amount appropriated in 2011 Acts and Resolves No. 40,
10 Sec. 2 (Statewide buildings, statewide contingency): \$1,473.51
11 (25) of the amount appropriated in 2011 Acts and Resolves No. 40,
12 Sec. 2 (Statewide buildings, major maintenance): \$53,676.67
13 (26) of the amount appropriated in 2011 Acts and Resolves No. 40,
14 Sec. 2 (State buildings, 120 State Street, restroom renovations): \$1,960.39
15 (27) of the amount appropriated in 2011 Acts and Resolves No. 40,
16 Sec. 2 (State buildings, St. Albans, Northwest Correctional Facility,
17 maintenance shop): \$5,360.00
18 (28) of the amount appropriated in 2011 Acts and Resolves No. 40,
19 Sec. 2 (State buildings, statewide, engineering and architectural costs):
20 \$95,639.98

1	<u>(29) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
2	<u>Sec. 12 (Ecosystem restoration and Protection):</u>	<u>\$12,468.06</u>
3	<u>(30) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
4	<u>Sec. 12 (Department of Forest, Parks, and Recreation, projects):</u>	<u>\$64.47</u>
5	<u>(31) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
6	<u>Sec. 20 (Center for Crime Victim Services):</u>	<u>\$4,270.00</u>
7	<u>(32) of the amount appropriated in 2012 Acts and Resolves No. 104,</u>	
8	<u>Sec. 2 (State House committee rooms):</u>	<u>\$7,337.97</u>
9	<u>(33) of the amount appropriated in 2012 Acts and Resolves No. 104,</u>	
10	<u>Sec. 7 (Regional economic development grants):</u>	<u>\$2,000.00</u>
11	Total Reallocations and Transfers – Section 19	\$5,728,049.74 <u>\$6,733,719.76</u>
12	Sec. 11. 2013 Acts and Resolves No. 51, Sec. 20 is amended to read:	
13	Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS	
14	* * *	
15	<u>(c) The State Treasurer is authorized to issue additional general obligation</u>	
16	<u>bonds in the amount of \$5,842,992.21 that were previously authorized but</u>	
17	<u>unissued under 2013 Acts and Resolves No. 51, Sec. 20(a) for FY 2014 for the</u>	
18	<u>purpose of funding the appropriations of this act.</u>	
19	<u>Total Revenues – Section 20</u>	\$167,503,320.00 <u>\$173,346,312.21</u>

1 Sec. 12. 2013 Acts and Resolves No. 51, Sec. 21 is amended to read:

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

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

11 * * * Policy * * *

12 * * * Buildings and General Services * * *

13 Sec. 13. 2012 Acts and Resolves No. 104, Sec. 1(a) is amended to read:

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

17 Sec. 14. ART IN STATE BUILDINGS PROGRAM; REVIEW OF

18 GUIDELINES AND PROCEDURES

19 (a) The Commissioner of Buildings and General Services and the Vermont
20 Council on the Arts, Inc. shall evaluate the effectiveness of the current
21 guidelines and procedures for the Art in State Buildings Program, including the

1 use of program terms and whether modified or new guidelines or procedures
2 are required.

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

8 Sec. 15. 2012 Acts and Resolves No. 104, Sec. 2(f) is amended to read:

9 (f)(1) Option B of the of the Freeman, French, Freeman report published on
10 March 9, 2012 aligns closely with the ~~general-assembly's~~ General Assembly's
11 vision for the Waterbury Complex. However, the ~~general-assembly~~ General
12 Assembly believes that Option B could be modified to achieve a cost savings
13 to Vermonters. On or before June 1, 2012, the ~~department of buildings and~~
14 ~~general-services~~ Department of Buildings and General Services shall present a
15 modified design proposal, including proposals under subdivision (4) of this
16 subsection (f) to the ~~house-committee-on-corrections-and-institutions~~ House
17 Committee on Corrections and Institutions, the ~~senate-committee-on~~
18 ~~institutions~~ Senate Committee on Institutions, and the ~~special-committee~~
19 Special Committee described in this subsection.

20 * * *

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

8 (A) lease, sell, lease purchase, subdivide, redevelop for State use, or
9 donate the following buildings within the Waterbury Complex in their current
10 condition: Stanley and Wasson, 121 South Main Street, 123 South Main Street,
11 5 Park Row, 43 Randall Street, and their improvements.

12 * * *

13 Sec. 16. REPEAL; USE AND DEVELOPMENT OF STATE FACILITIES
14 AND LAND; SPRINGFIELD CORRECTIONAL FACILITY

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

18 Sec. 17. STATE HOUSE SECURITY

19 (a) The Sergeant at Arms, in consultation with the Commissioner of
20 Buildings and General Services, the City of Montpelier Fire Department, and

1 the City of Montpelier Police Department, shall reevaluate the evacuation plan
2 for the State House in case of a fire or other emergency.

3 (b) On or before January 15, 2015, the Sergeant at Arms shall ensure the
4 implementation of the plan described in subsection (a) of this subsection and
5 shall report to the House Committee on Corrections and Institutions and the
6 Senate Committee on Institutions with the results of the reevaluation of the
7 plan.

8 Sec. 18. 2009 Acts and Resolves No. 43, Sec. 25 is amended to read:

9 Sec. 25. PROPERTY TRANSACTIONS; MISCELLANEOUS

10 * * *

11 (e) ~~Pursuant to 29 V.S.A. § 166(b), the commissioner of buildings and~~
12 ~~general services is authorized to subdivide land at the former Weeks school in~~
13 ~~Vergennes in order to sell the Arsenal and Fairbanks buildings. The~~
14 ~~commissioner may use proceeds from the sale to enhance the value of the~~
15 ~~remaining former Weeks school property. [Repealed.]~~

16 * * *

17 Sec. 19. WEEKS SCHOOL; VERGENNES; MASTER PLAN

18 (a) The Commissioner of Buildings and General Services shall contract
19 with an independent third party to develop a master plan for the former Weeks
20 School property located in the City of Vergennes and the Town of Ferrisburgh.
21 In developing the master plan, the independent third party shall consult with

1 the City of Vergennes, the Town of Ferrisburgh, local and regional
2 organizations, and affected State agencies and landowners. The master plan
3 shall include an evaluation of whether the property may be subdivided and
4 sold, and for what purposes it may be used.

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

9 Sec. 20. STATE AUDITOR’S OFFICE

10 The Commissioner of Buildings and General Services shall accommodate
11 the space needs of the State Auditor in a stand-alone building in the Capitol
12 Complex as part of the ten-year capital plan.

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

14 Sec. 21. 24 V.S.A. § 5608 is added to read:

15 § 5608. AGRICULTURAL FAIRS AND FIELD DAYS CAPITAL

16 PROJECTS COMPETITIVE GRANTS PROGRAM

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

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

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

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

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

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

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

16 (3) two members appointed by the Vermont Fair and Field Days
17 Association;

18 (4) one member appointed by the Vermont Department of Tourism and
19 Marketing;

20 (5) one member of the Vermont Senate appointed by the President Pro
21 Tempore of the Senate; and

1 (6) one member of the Vermont House of Representatives appointed by
2 the Speaker of the House.

3 (c) Administration.

4 (1) The Advisory Committee created in subsection (b) of this section
5 shall have the authority to award grants in its sole discretion; provided,
6 however, that the Committee may consider whether to award partial awards to
7 all applicants that meet Program criteria established by the Committee.

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

11 * * * Agency of Agriculture, Food and Markets and
12 Agency of Natural Resources * * *

13 Sec. 22. LABORATORY; SITE LOCATION PROPOSAL

14 (a) The Department of Buildings and General Services, in consultation with
15 the Agency of Agriculture, Food and Markets and the Agency of Natural
16 Resources, shall develop a detailed proposal on the site location, programming,
17 size, design, and preliminary cost estimate for a shared laboratory. The
18 proposal shall also include an evaluation of the current Agency of Agriculture,
19 Food and Markets and the Agency of Natural Resources programs located in
20 the leased space at 322 Industrial Lane in Berlin. It is the intent of the General
21 Assembly that when evaluating site locations, preference shall be given to sites

1 in the following order: property located in the Waterbury State Office
2 Complex, property located on Colchester Avenue in the City of Burlington,
3 other State-owned property, and non-State-owned property. The Department
4 of Buildings and General Services, the Agency of Agriculture, Food and
5 Markets, and the Agency of Natural Resources are authorized to use funds
6 appropriated in Sec. 1 of this act for any costs associated with the proposal.

7 (b) On or before September 15, 2014, the Department of Buildings and
8 General Services, the Agency of Agriculture, Food and Markets, and the
9 Agency of Natural Resources shall submit the proposal described in subsection
10 (a) of this section to the House Committee on Corrections and Institutions and
11 the Senate Committee on Institutions.

12 (c) The Commissioner of Buildings and General Services shall notify the
13 House Committee on Corrections and Institutions and the Senate Committee
14 on Institutions at least monthly of updates on the proposal.

15 (d)(1) A special committee consisting of the Joint Fiscal Committee and
16 the Chairs of the House Committee on Corrections and Institutions and of the
17 Senate Committee on Institutions (Special Committee) is established.

18 (2) The Special Committee shall meet to evaluate the proposal and
19 approve the final site selection at the next regularly scheduled meeting of the
20 Joint Fiscal Committee or at an emergency meeting called by the Chairs of the
21 House Committee on Corrections and Institutions and of the Senate Committee

1 on Institutions and the Joint Fiscal Committee. In making any decisions, the
2 Special Committee shall consider whether the property is State-owned, the
3 possibility of purchasing new property versus redeveloping State-owned
4 property, how the site location impacts the ability of the State to provide
5 services to citizens, programming, the financial consequences to the State of
6 approval or disapproval of the proposal, the suitability of the site for the
7 project, and whether any potential alternatives are available. The Special
8 Committee shall be entitled to per diem and expenses as provided in 2 V.S.A.
9 § 406. The Special Committee may also meet to make decisions made
10 necessary by unanticipated or unforeseen circumstances.

11 (3) With approval of the Speaker of the House and the President Pro
12 Tempore, as appropriate, the House Committee on Corrections and Institutions
13 and the Senate Committee on Institutions may meet up to six times when the
14 General Assembly is not in session to discuss any significant updates to the
15 proposal for the laboratory and make recommendations to the Special
16 Committee described in this subsection. The Committees shall notify the
17 Commissioner of Buildings and General Services, the Secretary of Agriculture,
18 Food and Markets, and the Secretary of Natural Resources prior to holding a
19 meeting pursuant to this subdivision. Committee members shall be entitled to
20 receive a per diem and expenses as provided in 2 V.S.A. § 406.

1 * * * Human Services * * *

2 Sec. 23. VERMONT PSYCHIATRIC CARE HOSPITAL; CERTIFICATE
3 OF NEED; FEDERAL MATCH

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

9 * * * Administration * * *

10 Sec. 24. 3 V.S.A. § 2293(b) is amended to read:

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

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 Sec. 26. STATE EMPLOYEES; MEMORANDUM OF UNDERSTANDING

6 (a) The Secretary of Administration shall require the Executive Branch to
7 engage in change management practices to inform and involve State
8 employees in any capital project involving the design of State-owned or leased
9 work spaces.

10 (b) Beginning on January 15, 2015, and annually thereafter, the Secretary
11 of Administration shall provide an update to the House Committee on
12 Corrections and Institutions and the Senate Committee on Institutions on the
13 use of change management practices.

14 (c) The Secretary of Administration shall incorporate the change
15 management practices described in subsection (a) of this section in the design
16 of the Waterbury State Office Complex and the shared Agency of Agriculture,
17 Food and Markets and Agency of Natural Resources laboratory.

18 * * * Judiciary * * *

19 Sec. 27. COUNTY COURTHOUSES; PLAN

20 (a) Pursuant to the restructuring of the Judiciary in 2009 Acts and Resolves
21 No. 154, the Judiciary shall evaluate the State's responsibility for maintaining

1 county courthouses and whether an emergency fund is necessary for
2 construction or renovation projects at county courthouses.

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

6 * * * Public Safety * * *

7 Sec. 28. 2013 Acts and Resolves No. 51, Sec. 48 is amended to read:

8 Sec. 48. PUBLIC SAFETY FIELD STATION PROJECT

9 The Department of Buildings and General Services, in consultation with the
10 Department of Public Safety, is authorized to use appropriations in Sec. 13 of
11 this act to conduct feasibility studies, and identify and purchase land for future
12 public safety field station sites. If the Department of Buildings and General
13 Services proposes to purchase property when the General Assembly is not in
14 session, the Commissioner of Buildings and General Services shall notify the
15 Chairs of the House Committee on Corrections and Institutions and the Senate
16 Committee on Institutions of the proposal. In the event that land is identified
17 for Troop B of the Vermont State Police, then the Department of Public Safety
18 shall hold public meetings in the affected communities for public input on the
19 proposal. The Department of Public Safety shall notify the House Committee
20 on Corrections and Institutions and the Senate Committee on Institutions on
21 the results of the meeting when the General Assembly is in session, and the

1 Chairs of the House Committee on Corrections and Institutions and the Senate
2 Committee on Institutions when the General Assembly is not in session. The
3 General Assembly encourages the affected communities to contact the
4 Department of Public Safety to review any proposals as they develop.

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

6 Sec. 29. 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. 30. 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, the implementation of energy efficiency
2 and conservation measures, and the use of renewable resources.

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 and the use of
9 renewable resources. The Commissioner of Buildings and General Services
10 shall establish guidelines for the provision of funding for energy management
11 measures through these revolving funds.

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

16 (b) State Resource Management Revolving Fund.

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

1 (3) “Resource conservation measures” shall mean a set of measures,
2 including a study, product, process, or technology, aimed at reducing overall
3 use or consumption of energy resources in State buildings or facilities.
4 “Resource conservation measures” shall include energy efficiency
5 improvements.

6 * * * Effective Date * * *

7 Sec. 31. EFFECTIVE DATE

8 This act shall take effect on passage.