

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

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

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

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

9 Sec. 2. STATE BUILDINGS

10 * * *

11 (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 funding for the Waterbury State Office Complex of less
17 than five percent of the total original project cost estimate.

18 * * *

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

20 * * *

21 (4) Statewide, major maintenance: \$8,334,994.00 [8,380,194.00]

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 software system to track project and
11 engineering costs.

12 * * *

13 (f) It is the intent of the General Assembly that the funds appropriated in
14 subdivision (c)(13) of this section shall be used for the planning associated
15 with constructing an addition to the State Auditor's Office at 132 State Street
16 or relocating the State Auditor's Office to another building within the Capitol
17 Complex.

18 (g) It is the intent of the General Assembly that the amount appropriated in
19 subdivision (c)(16) of this section shall be used to match funds to repair the
20 retaining wall near the McFarland State Office Building in Barre. In the event
21 that the Commissioner of Buildings and General Services determines that the

1 retaining wall presents imminent danger and matching funds are not made
2 available, then the Commissioner of Buildings and General Services is
3 authorized to transfer funds in the amount of \$65,000.00 from subdivision
4 (c)(4) of this section to repair the retaining wall.

5 Appropriation – FY 2015 \$45,742,126.00
6 Total Appropriation – Section 2 \$98,203,258.00

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

8 Sec. 4. HUMAN SERVICES

9 * * *

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

13 * * *

14 (3) Correctional facilities, suicide abatement projects at SSCF and

15 SESCF: [\$200,000.00]

16 (4) State correctional facilities, security enhancements and cameras,
17 replacement for all facilities: [\$250,000.00]

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

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

2 Sec. 6. COMMERCE AND COMMUNITY DEVELOPMENT

3 * * *

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

6 * * *

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

9 * * *

| | | |
|----|---------------------------------|--------------|
| 10 | Appropriation – FY 2015 | \$250,000.00 |
| 11 | Total Appropriation – Section 6 | \$690,000.00 |

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

13 Sec. 8. EDUCATION

14 * * *

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

| | | |
|----|-------------------------|----------------|
| 20 | Appropriation – FY 2014 | \$6,704,634.00 |
|----|-------------------------|----------------|

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

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

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

4 Sec. 11. NATURAL RESOURCES

5 * * *

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

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

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

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

11 * * *

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

13 * * *

14 (C) EcoSystem restoration and protection:

15 ~~\$2,073,732.00~~ \$2,573,732.00

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

17 [\$307,000.00]

18 * * *

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

20 Parks and Recreation for statewide small scale rehabilitation, wastewater

1 repairs, preventive improvements and upgrades of restrooms and bathhouses,
2 and statewide small-scale road rehabilitation projects: \$2,000,000.00

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

6 * * *

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

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

10 Sec. 13. PUBLIC SAFETY

11 * * *

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

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 acquire accreditation through the Commission on Accreditation for Law
18 Enforcement (CALEA) at existing barracks not yet renovated: [\$36,000.00]

19 (g) The sum of \$50,000.00 is appropriated in FY 2015 to the Department of
20 Buildings and General Services to contract with an independent third party to
21 develop an operational governance and planning model for the operation,

1 financial integrity, and maintenance of the Robert H. Wood Criminal Justice
2 and Fire Service Training Center in Pittsford. On or before January 15, 2015,
3 the Department of Buildings and General Services shall submit this plan to the
4 House Committee on Corrections and Institutions and the Senate Committee
5 on Institutions: [\$50,000.00]

| | | |
|---|----------------------------------|---------------------------|
| 6 | Appropriation – FY 2014 | \$3,600,000.00 |
| 7 | Appropriation – FY 2015 | \$3,400,000.00 |
| 8 | Total Appropriation – Section 13 | \$7,000,000.00 |

9 Sec. 8. 2013 Acts and Resolves No. 51, Sec. 18a is amended to read:

10 Sec. 18a. ENHANCED 911 PROGRAM

11 * * *

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

14 * * *

| | | |
|----|-----------------------------------|---|
| 15 | Total Appropriation – Section 18a | \$20,000.00 <u>\$10,000.00</u> |
|----|-----------------------------------|---|

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

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

18 * * *

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

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

1 Total Reallocations and Transfers – Section 19 \$5,728,049.74

2 Sec. 10. 2013 Acts and Resolves No. 51, Sec. 20 is amended to read:

3 Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

4 * * *

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

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

10 Sec. 11. 2013 Acts and Resolves No. 51, Sec. 21 is amended to read:

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

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

1 (a) The Commissioner of Buildings and General Services and the Vermont
2 Council on the Arts, Inc. shall evaluate the effectiveness of the current
3 guidelines and procedures for the Art in State Buildings Program and whether
4 new guidelines or procedures are required.

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

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

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

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* * *

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

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

* * *

Sec. 16. 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.

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

§ 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE
HOUSE

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

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

9 (1) the Lieutenant Governor or designee;

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

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

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

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

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

16 (7) the Chair of the Board of Trustees of the Friends of the Vermont
17 State House;

18 (8) the Sergeant at Arms

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

20 (10) the State Curator; and

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

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

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

6 (1) at least once each quarter;

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

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

10 Sec. 18. 2 V.S.A. § 653 is amended to read:

11 § 653. FUNCTIONS

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

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

1 the ~~advisory committee~~ Advisory Committee. ~~The advisory committee~~
2 ~~recommendations shall be advisory only.~~

3 (c) The Advisory Committee may develop and issue policy and procedure
4 statements.

5 Sec. 19. 29 V.S.A. § 154 is amended to read:

6 § 154. PRESERVATION OF STATE HOUSE AND HISTORIC STATE
7 BUILDINGS

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

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

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

7 Sec. 20. STATE HOUSE SECURITY

8 (a) The Sergeant at Arms, in consultation with the Commissioner of
9 Buildings and General Services, the City of Montpelier Fire Department, and
10 the City of Montpelier Police Department, shall create an evacuation plan for
11 the State House in case of a fire or other emergency.

12 (b) On or before January 15, 2015, the Sergeant at Arms shall implement
13 the plan described in subsection (a) of this subsection. The plan shall be
14 prominently posted in the State House in each House and Senate Committee
15 room and the cafeteria, and published on the State Legislature website.

16 Sec. 21. WEEKS SCHOOL; VERGENNES; MASTER PLAN

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

20 (b) On or before January 15, 2015, the Commissioner of Buildings and
21 General Services shall submit the master plan developed pursuant to

1 subsection (a) of this section to the House Committee on Corrections and
2 Institutions and the Senate Committee on Institutions.

3 * * * Agency of Agriculture, Food and Markets and
4 Agency of Natural Resources * * *

5 Sec. 22. LABORATORY; PROPOSAL

6 (a) The Department of Buildings and General Services, in consultation with
7 the Agency of Agriculture, Food and Markets and the Agency of Natural
8 Resources, shall develop a detailed proposal on the site location, programming,
9 size, design, and preliminary cost estimate for a shared laboratory. The
10 proposal shall also include an evaluation of the Vermont Weights and
11 Measures Lab in Berlin. It is the intent of the General Assembly that when
12 recommending a site location, preference shall be given to both State-owned
13 property and to sites located in the Town of Waterbury or Colchester Avenue
14 in the City of Burlington before non-State-owned properties are considered.
15 The Department of Buildings and General Services, the Agency of Agriculture,
16 Food and Markets, and the Agency of Natural Resources are authorized to use
17 funds appropriated by 2013 Acts and Resolves No. 51, Sec. 2(c)(12) for any
18 costs associated with the proposal.

19 (b) On or before September 15, 2014, the Department of Buildings and
20 General Services, the Agency of Agriculture, Food and Markets, and the
21 Agency of Natural Resources shall submit the proposal described in subsection

1 (a) of this section to the House Committee on Corrections and Institutions and
2 the Senate Committee on Institutions.

3 (c)(1) A special committee consisting of the Joint Fiscal Committee and the
4 Chairs of the House Committee on Corrections and Institutions and of the
5 Senate Committee on Institutions (Special Committee) is established.

6 (2) If there are any material changes to the proposal of the shared
7 laboratory described in subsection (a) of this section, the Special Committee
8 shall meet to review, approve, or recommend alterations to the proposal at the
9 next regularly scheduled meeting of the Joint Fiscal Committee or at an
10 emergency meeting called by the Chairs of the House Committee on
11 Corrections and Institutions, the Senate Committee on Institutions, and the
12 Joint Fiscal Committee. In making any decisions, the Special Committee shall
13 consider whether the property is State-owned, the cost-effectiveness of
14 purchasing new property versus redeveloping State-owned property, how the
15 site location impacts the ability of the State to provide services to citizens,
16 programming, the financial consequences to the State of approval or
17 disapproval of the proposal, and whether any potential alternatives are
18 available. The Special Committee shall be entitled to per diem and expenses
19 as provided in 2 V.S.A. § 406. The Special Committee may also meet to make
20 decisions made necessary by unanticipated or unforeseen circumstances.

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

11 (d) As used in this section, “material change” means a change to the scope
12 of the funding, location, or governance of the laboratory that:

13 (1) increases the total project cost estimate by five percent;

14 (2) locates the laboratory on non-State-owned property; or

15 (3) changes the governance structure of the laboratory.

16 * * * Human Services * * *

17 Sec. 23. VERMONT PSYCHIATRIC CARE HOSPITAL; CERTIFICATE
18 OF NEED; FEDERAL MATCH

19 The Commissioner of Buildings and General Services is authorized to
20 transfer the sum of \$447,928.05 from the amount authorized in 2013 Acts and
21 Resolves No. 51, Sec. 2(b)(15)(A) to the Agency of Human Services if State

1 funding is required to match federal funds for eligible project costs required
2 under the Certificate of Need for the Vermont Psychiatric Care Hospital.

3 * * * Administration * * *

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

5 (b) Development Cabinet. A Development Cabinet is created, to consist of
6 the Secretaries of the Agencies of Administration, of Natural Resources, of
7 Commerce and Community ~~Affairs~~ Development, of Transportation, and of
8 Agriculture, Food and Markets. The Governor or the Governor's designee
9 shall chair the Development Cabinet. The Development Cabinet shall advise
10 the Governor on how best to implement the purposes of this section, and shall
11 recommend changes as appropriate to improve implementation of those
12 purposes. The Development Cabinet ~~may~~ shall establish interagency work
13 groups to support its mission, drawing membership from any agency or
14 department of State government. The interagency work groups shall evaluate,
15 test the feasibility of, and suggest alternatives to economic development
16 proposals submitted to it for consideration. The Development Cabinet shall
17 refer to appropriate interagency workgroups any economic development
18 proposal that has a significant impact on the inventory or use of State land or
19 buildings.

20

21

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.

3 * * * Energy Use on State Properties * * *

4 Sec. 27. ENERGY EFFICIENCY; STATE LEASES

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

10 Sec. 28. 29 V.S.A. § 168 is amended to read:

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

12 REVOLVING FUNDS

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

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

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

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

14 (b) State Resource Management Revolving Fund.

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

21 (2) The Fund shall consist of:

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

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

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

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

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

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

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

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

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

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

6 (c) Energy Revolving Fund.

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

12 (2) The Fund shall consist of:

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

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

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

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

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

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

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

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

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

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

1 (d) Notwithstanding any other provision of law to the contrary, the State
2 Treasurer, working in collaboration with the Department of Buildings and
3 General Services, shall have the authority to establish a credit facility of up to
4 \$8,000,000.00, on terms acceptable to the State Treasurer. The credit facility
5 shall be used for the purpose of financing energy efficiency improvements and
6 the use of renewable resources anticipated to generate a cost-savings to the
7 State.

8 (e) As used in this section:

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

15 (2) “Renewables” shall have the same meaning as under 30 V.S.A.
16 § 8002.

17 (3) “Resource conservation measures” shall mean a set of measures,
18 including a study, product, process, or technology, aimed at reducing overall
19 use or consumption of energy resources in State buildings or facilities.

20 “Resource conservation measures” shall include energy efficiency
21 improvements.

