

1 Sec. __. 22 V.S.A. § 742 is amended to read:

2 § 742. DUTIES AND POWERS OF THE COUNCIL

3 [Optional Technical Correction]

4 (a) The Council shall:

5 * * *

6 (7)(A) Provide an advisory and coordinative mechanism by which State
7 undertakings of every kind ~~which~~ that are potentially deleterious to historic
8 preservation may be discussed; and, where possible, resolved, giving due
9 consideration to the competing public interests ~~which~~ that may be involved.

10 (B) The head of any State agency or department having direct or
11 indirect jurisdiction over a proposed State or State-assisted undertaking, or
12 independent agency having authority to build, construct, license, permit,
13 authorize, or approve any undertaking, shall, prior to the approval of the State
14 funds for the proposed undertaking, or prior to any approval, license, permit, or
15 authorization ~~as the case may be~~, take into account the effect of the
16 undertaking on any historic property that is included in the State Register of
17 Historic Places. Where, in the judgment of the Council ~~such~~ the proposed
18 undertaking will have an adverse effect upon any listed district, area, site,
19 building, structure, or object, the head of the State agency or department shall
20 afford the Council reasonable opportunity to comment ~~with regard to~~ on the
21 proposed undertaking.

1 (8) Advise on any participation in the review of federal, federally
2 assisted, and federally licensed undertakings that may affect historic properties
3 and sites and approve any participation in the review of nonfederal
4 undertakings, including proceedings under the State land use and development
5 act (10 V.S.A. chapter 151).

6 * * *

7 **[Naming Provision]**

8 (c)(1)(A) Except as otherwise provided pursuant to 19 V.S.A. § 5, 29
9 V.S.A. § 820, and subdivision (4) of this subsection (c), the Council is the sole
10 authority responsible for naming State buildings and facilities that are under
11 the jurisdiction of the Department of Buildings and General Services.

12 (B) The Council shall exercise its naming authority only upon
13 petition of the legislative body of a municipality of the State, of the
14 Commissioner of Buildings and General Services, or of 25 Vermont residents.

15 (C) The Council shall exercise its naming authority in consultation
16 with the Commissioner of Buildings and General Services.

17 (2) The Council shall hold a public hearing for each building or facility
18 requested to be named. The Council shall adopt rules governing notice and
19 conduct of hearings, the standards to be applied in rendering decisions under
20 this subsection, and any other matter necessary for the just disposition of
21 naming requests.

1 (3) For purposes of adopting or amending rules pursuant to subdivision
2 (2) of this subsection, the Council shall have the legal assistance of the
3 Department of Housing and Community Development [and the Department of
4 Buildings and General Services].

5 (4) The Council shall not have authority to name any of the following
6 State buildings or facilities:

7 (A) correctional facilities;

8 (B) transportation facilities;

9 (C) buildings and facilities within the Capitol Complex, as that term
10 is defined pursuant to 29 V.S.A. § 182;

11 (D) buildings and facilities that have been named pursuant to 29
12 V.S.A. § 821; and

13 (E) buildings and facilities that are under the jurisdiction and control
14 of the Department of Forests, Parks and Recreation; the Department of Fish
15 and Wildlife; or the Military Department.

16 (5) As used in this subsection, “State buildings and facilities” means any
17 State building, facility, permanent structure, or park, or any appurtenant
18 structure to a State building, facility, permanent structure, or park, regardless
19 of whether the State building, facility, permanent structure, park, or
20 appurtenant structure is owned or leased by the State.

1 Sec. __. 29 V.S.A. § 820 is amended to read:

2 § 820. THE NAMING OF STATE BUILDINGS AND FACILITIES

3 Except for State transportation buildings and facilities named by the
4 Transportation Board in accordance with 19 V.S.A. § 5 or State buildings and
5 facilities named by the Advisory Council on Historic Preservation in
6 accordance with 22 V.S.A. § 742, the name by which a State building or
7 facility is to be known shall be authorized by the General Assembly.