

1 Introduced by Committee on Corrections and Institutions
2 Referred to Committee on
3 Date:
4 Subject: Budget; capital construction; capital appropriations; state bonding
5 Statement of purpose of bill as introduced: This bill proposes to authorize
6 bonding, appropriate capital funds, and address miscellaneous related items.

7 An act relating to capital construction and state bonding

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

9 * * * Capital Appropriations * * *

10 Sec. 1. LEGISLATIVE INTENT

11 (a) It is the intent of the General Assembly that of the \$144,000,000.00
12 authorized in this act, no more than [XXX,XXX,XXX.00] shall be appropriated
13 in the first year of the biennium, and the remainder shall be appropriated in the
14 second year.

15 (b) It is the intent of the General Assembly that in the second year of the
16 biennium, any amendments to the appropriations or authorities granted in this
17 act shall take the form of a Capital Construction and State Bonding Adjustment
18 Bill. It is the intent of the General Assembly that unless otherwise indicated,
19 all appropriations in this act are subject to capital budget adjustment.

1	<u>(10) Montpelier, 120 State Street, life safety and infrastructure</u>	
2	<u>improvements:</u>	<u>\$300,000.00</u>
3	<u>(11) Montpelier, Department of Labor, parking lot extension:</u>	
4		<u>\$450,000.00</u>
5	<u>(12) Middlesex, State Archives, renovations:</u>	<u>\$660,000.00</u>
6	<u>(13) Newport, Northern State Correctional Facility, maintenance shop:</u>	
7		<u>\$450,000.00</u>
8	<u>(14) Randolph, Agency of Agriculture, Food, and Markets, and Agency</u>	
9	<u>of Natural Resources, collaborative laboratory:</u>	<u>\$2,500,000.00</u>
10	<u>(15) Southern State Correctional Facility, steamline</u>	
11	<u>replacement:</u>	<u>\$600,000.00</u>
12	<u>(16) Southern State Correctional Facility, copper waterline</u>	
13	<u>replacement:</u>	<u>\$900,000.00</u>
14	<u>(17) St. Johnsbury, Caledonia Courthouse, stabilize foundation:</u>	
15		<u>\$1,700,000.00</u>
16	<u>(18) Pittsford, Training Center, electrical system upgrade:</u>	
17		<u>\$120,000.00</u>
18	<u>(19) Waterbury State Office Complex, complex restoration:</u>	
19		<u>\$17,451,826.00</u>

1	<u>(20) White River Junction, Windsor Courthouse, design and planning</u>	
2	<u>for mechanical, electrical and plumbing, security and energy upgrades:</u>	
3		<u>\$300,000.00</u>
4	<u>(c) The following sums are appropriated in FY 2017:</u>	
5	<u>(1) Statewide, asbestos:</u>	<u>\$50,000.00</u>
6	<u>(2) Statewide, building reuse and planning:</u>	<u>\$75,000.00</u>
7	<u>(3) Statewide, contingency:</u>	<u>\$100,000.00</u>
8	<u>(4) Stated, elevator repairs and replacement:</u>	<u>\$100,000.00</u>
9	<u>(5) Statewide, major maintenance:</u>	<u>\$8,000,000.00</u>
10	<u>(6) Statewide, BGS engineering, project management, and architectural</u>	
11	<u>project costs:</u>	<u>\$3,677,448.00</u>
12	<u>(7) Statewide, physical security enhancements:</u>	<u>\$200,000.00</u>
13	<u>(8) Montpelier, 115 State Street, State House lawn, access</u>	
14	<u>improvements and water intrusion:</u>	<u>\$300,000.00</u>
15	<u>(9) Montpelier, 120 State Street, life safety and infrastructure</u>	
16	<u>improvements:</u>	<u>\$1,000,000.00</u>
17	<u>(10) Randolph, Agency of Agriculture, Food, and Markets, and Agency</u>	
18	<u>of Natural Resources, collaborative laboratory:</u>	<u>\$14,048,174.00</u>
19	<u>(10) Southern State Correctional Facility, steamline</u>	
20	<u>replacement:</u>	<u>\$600,000.00</u>

1	<u>Appropriation – FY 2017</u>	<u>\$XX,XXX.00</u>
2	<u>Total Appropriation – Section 6</u>	<u>\$XX,XXX.00</u>
3	Sec. 7. GRANT PROGRAMS	
4	<u>(a) The following sums are appropriated in FY 2016 for Building</u>	
5	<u>Communities Grants established in 24 V.S.A. chapter 137:</u>	
6	<u>(1) To the Agency of Commerce and Community Development,</u>	
7	<u>Division for Historic Preservation, for the Historic Preservation Grant</u>	
8	<u>Program:</u>	<u>\$200,000.00</u>
9	<u>(2) To the Agency of Commerce and Community Development,</u>	
10	<u>Division for Historic Preservation, for the Historic Barns Preservation Grant</u>	
11	<u>Program:</u>	<u>\$200,000.00</u>
12	<u>(3) To the Vermont Council on the Arts for the Cultural Facilities Grant</u>	
13	<u>Program, the sum of which may be used to match funds that may be made</u>	
14	<u>available from the National Endowment of the Arts, provided that all capital</u>	
15	<u>funds are made available to the cultural facilities grant program:</u>	<u>\$200,000.00</u>
16	<u>(4) To the Department of Buildings and General Services for the</u>	
17	<u>Recreational Facilities Grant Program:</u>	<u>\$200,000.00</u>
18	<u>(5) To the Department of Buildings and General Services for</u>	
19	<u>the Human Services and Educational Facilities Competitive Grant</u>	
20	<u>Program:</u>	<u>\$200,000.00</u>
21	<u>(6) To the Department of Buildings and General Services for</u>	

1 the Regional Economic Development Grant Program: \$200,000.00

2 (b) The following sum is appropriated in FY 2016 to the Agency
3 of Agriculture, Food and Markets for the Agricultural Fairs Capital

4 Projects Competitive Grant Program: \$200,000.00

5 (c) The following sums are appropriated in FY 2017 for Building
6 Communities Grants established in 24 V.S.A. chapter 137:

7 (1) To the Agency of Commerce and Community Development,
8 Division for Historic Preservation, for the Historic Preservation Grant
9 Program: \$200,000.00

10 (2) To the Agency of Commerce and Community Development,
11 Division for Historic Preservation, for the Historic Barns Preservation
12 Grant Program: \$200,000.00

13 (3) To the Vermont Council on the Arts for the Cultural Facilities
14 Grant Program, the sum of which may be used to match funds that may
15 be made available from the National Endowment of the Arts, provided
16 that all capital funds are made available to the cultural facilities grant
17 program: \$200,000.00

18 (4) To the Department of Buildings and General Services for the
19 Recreational Facilities Grant Program: \$200,000.00

20 (5) To the Department of Buildings and General Services for the Human
21 Services and Educational Facilities Competitive Grant Program: \$200,000.00

1	<u>(1) of the amount appropriated in X (sale of Building 617, Essex):</u>	
2		<u>\$7,078.21</u>
3	<u>(2) of the amount appropriated in X (sale of 1193 North Avenue,</u>	
4	<u>Burlington):</u>	<u>\$353,785.97</u>
5	<u>(3) of the amount appropriated in X (sale of 121 and 123 South Maine</u>	
6	<u>Street, Waterbury):</u>	<u>\$75,000.00</u>
7	<u>(4) of the amount appropriated in X (sale of Ladd Hall, Waterbury):</u>	
8		<u>\$228,000.00</u>
9	<u>(5) of the amount appropriated in X (Duxbury land sale):</u>	<u>\$45,556.36</u>
10	<u>Total Reallocations and Transfers – Section X</u>	<u>\$XX,XXX.00</u>

11 Sec. 20. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

12 (a) The State Treasurer is authorized to issue general obligation bonds in
13 the amount of \$144,000,000.00 for the purpose of funding the appropriations
14 of this act. The State Treasurer, with the approval of the Governor, shall
15 determine the appropriate form and maturity of the bonds authorized by this
16 section consistent with the underlying nature of the appropriation to be funded.
17 The State Treasurer shall allocate the estimated cost of bond issuance or
18 issuances to the entities to which funds are appropriated pursuant to this
19 section and for which bonding is required as the source of funds, pursuant to
20 32 V.S.A. § 954.

1 Fiscal Committee when the term of the lease or license is three years or longer,
2 or when the lease or license requested is a renewal of a lease or license issued
3 pursuant to subdivision (1) of this subsection.

4 Sec. X. 29 V.S.A. § 166(a) is amended to read:

5 § 166. SELLING OR RENTING STATE PROPERTY

6 (a) As agent of the state, with the advice and consent of the governor unless
7 otherwise provided, the commissioner of buildings and general services may
8 lease ~~for a term not exceeding 10 years~~ any real property owned by the state
9 and not used for state purposes. The Commissioner of Buildings and General
10 Services shall obtain approval from the Chairs of the House Committee on
11 Corrections and Institutions and the Senate Committee on Institutions before
12 entering into any lease for real property exceeding 10 years.

13 Sec. X. AGENCY OF AGRICULTURE, FOOD AND MARKETS AND

14 AGENCY OF NATURAL RESOURCES LABORATORY

15 (a) Lease. Notwithstanding the authority contained in 29 V.S.A. § 164, the
16 Department of Buildings and General Services shall enter into a long-term
17 ground lease or other similar legal instrument with Vermont Technical College
18 for the purpose of locating the Agency of Agriculture, Food and Markets and
19 Agency of Natural Resources collaborative laboratory on the Technical
20 College campus in Randolph, Vermont.

21 (b) Governance. [Insert triggers for governance plan]

1 Sec. X. 29 V.S.A. § 821(a) is amended to read:

2 (a) State buildings.

3 (1) "Asa Bloomer State Office Building" shall be the name of the
4 building now known as the "Hulett" office building in the city of Rutland.

5 * * *

6 (11) "Vermont Agriculture and Environmental Laboratory" shall be the
7 name of the State laboratory in Randolph.

8 **Sec. X. DEPARTMENT OF BUILDINGS AND GENERAL SERVICES;**

9 **USE OF EMERGENCY FUNDS**

10 **[BGS request to use major maintenance for emergency projects]**

11 Sec. X. 29 V.S.A. § 161(b) is amended to read:

12 (b) Each contract awarded under this section for ~~any State project with a~~
13 ~~construction cost exceeding \$100,000.00 and~~ construction projects which ~~is~~ are
14 authorized or funded in whole or in part by a capital construction act pursuant
15 to 32 V.S.A. § 701a, ~~including such a project of the University of Vermont and~~
16 ~~State Agricultural College and of the Vermont State Colleges~~, shall provide
17 that all construction employees working on the project shall be paid no less
18 than the ~~mean~~ prevailing wage ~~published periodically by the Department of~~
19 ~~Labor in its occupational employment and wage survey~~ determinations as have
20 been made by the Secretary of the U.S. Department of Labor in accordance
21 with the Davis-Bacon Act, 40 U.S.C. § 276a, as may be amended. The

1 Commissioner of Labor, in consultation with the Commissioner of Buildings
2 and General Services, may adopt rules as necessary, pursuant to 3 V.S.A.
3 chapter 25, to implement this subsection. This section does not require that the
4 federal Davis-Bacon Act reporting requirements be applied to State
5 construction projects.

6 Sec. X. STATE CONSTRUCTION PROJECTS; CONTRACTS SUBJECT
7 TO STATE PREVAILING WAGE

8 Contracts for State construction projects executed prior to July 1, 2017 shall
9 remain subject to the mean prevailing wage published periodically by the
10 Vermont Department of Labor in its occupational employment and wage
11 survey.

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

13 § 651. LEGISLATIVE ADVISORY COMMITTEE ON THE STATE HOUSE

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

16 (b) ~~The committee~~ Committee shall be composed of 11 members: ~~three~~
17 ~~members of the house of representatives appointed by the speaker; three~~
18 ~~members of the senate appointed by the committee on committees; the chair of~~
19 ~~the board of trustees of the friends of the Vermont state house; the director of~~
20 ~~the Vermont historical society; the director of the Vermont council on the arts;~~
21 ~~the commissioner of buildings and general services; and the sergeant at arms~~

1 (1) the Lieutenant Governor or designee;

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

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

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

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

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

8 (7) the Chair of the Board of Trustees of the Friends of the Vermont
9 State House;

10 (8) the Sergeant at Arms;

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

12 (10) the State Curator; and

13 (11) the Chief Justice of the Supreme court or designee.

14 (c) The ~~committee~~ Committee shall biennially elect a chair from among
15 its legislative members. A quorum shall consist of ~~six~~ seven members.

16 (d) The ~~committee~~ Committee shall meet at the ~~state house~~ State House, or
17 other venue by agreement of the Committee:

18 (1) on the first Monday of each third month beginning in July, 1984, at
19 least once a quarter;

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

1 Acts and Resolves No. 200, Sec. 45, as amended by 2009 Acts and Resolves
2 No. 54, Sec. 22, any new unified union school district created pursuant to 2009
3 Acts and Resolves No. 153, Sec. 3, as amended by 2012 Acts and Resolves
4 No. 156, Sec. [X], or a new district created under that section by merger of
5 districts, shall be eligible for state aid for school construction under 16 V.S.A.
6 § 3447 and may make application for aid to the Secretary of Education
7 according to 16 V.S.A. 3448.

8 (b) The total school construction aid awarded each fiscal year shall be
9 distributed among all approved applications based on the amount of State
10 capital aid authorized, but in no case shall exceed forty percent of the approved
11 cost.

12 (c) All other State aid remains suspended pursuant to the terms of 2008
13 Acts and Resolves No. 200, Sec. 45 as amended by 2009 Acts and Resolves
14 No. 54, Sec. 22 and 2013 Acts and Resolves No. 51, Sec. 45.

15 * * * Information Technology * * *

16 **Sec. X. LEGISLATIVE IT OVERSIGHT COMMITTEE**

17 **Sec. X. COST-BENEFIT ANALYSIS**

18 **[Language on cost benefit analysis of main frame]**

19 * * * Judiciary * * *

20 **Sec. X. INFRASTRUCTURE NEEDS**

1 [Insert language directing MOU between State and county on courthouse
2 renovations]

3 * * * Natural Resources * * *

4 Sec. X. 24 V.S.A. § 4753a(e) is amended to read:

5 (e) Loan forgiveness; drinking water. (1) Notwithstanding any other
6 provision of law regarding loan forgiveness, upon the award of a loan from the
7 Vermont Environmental Protection Agency Drinking Water State Revolving
8 Fund (DWSRF), the Secretary of Natural Resources, in a manner that is
9 consistent with federal grant provisions, may forgive up to 100 percent of a
10 loan if the award is made for a project on the priority list and the project is
11 capitalized, at least in part, from funds derived from a federal DWSRF
12 capitalization grant that includes provisions authorizing loan forgiveness. Such
13 loan forgiveness shall be based on the loan value, but funds to be forgiven shall
14 only consist of federal funds, except where the loan is used as a match to other
15 federal grants requiring nonfederal funds as a match.

16 (2) Notwithstanding any other provision of law regarding loan
17 forgiveness, upon the award of a loan from the Vermont Drinking Water
18 Revolving Loan Fund, the Secretary of Natural Resources may provide loan
19 forgiveness for preliminary engineering and final design costs when a
20 municipality undertakes such engineering on behalf of a household that has
21 been disconnected involuntarily from a public water supply system for reasons

1 other than nonpayment of fees, provided it is not the same municipality that is
2 disconnecting the household.

3 **Sec. X. 24 V.S.A. § 4755(a) is amended to read:**

4 (a) Except as provided by subsection (c) of this section, the bond bank may
5 make loans to a municipality on behalf of the ~~state~~ State for one or more of the
6 purposes set forth in section 4754 of this chapter. Each of such loans shall be
7 made subject to the following conditions and limitations:

8 (1) no loan shall be made for any purpose permitted under this chapter
9 other than from the revolving fund in which the same purpose is included;

10 (2) the total amount of loan out of a particular revolving fund shall not
11 exceed the balance of that fund;

12 (3) the loan shall be evidenced by a municipal bond, payable by the
13 municipality over a term not to exceed ~~20~~ 30 years, or the projected useful life
14 of the project, which is less, except:

15 (A) and without there shall be no deferral of payment, ~~except as~~
16 ~~provided~~ unless authorized under by 10 V.S.A. §§ ~~1624(b) and~~ § 1624a;

17 (B) the term of shall not exceed 20 years when required by 10 V.S.A.
18 § 1624(b); and

19 (C) or the loan may be evidenced by any other permitted debt
20 instrument payable as permitted by chapter 53 of this title;

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Sec. X. 24 V.S.A. § 4756 is amended to read:

§ 4756. ELIGIBILITY CERTIFICATION

(a) No construction loan or loan for the purchase of land or conservation easements to a municipality shall be made under this chapter, nor shall any part of any revolving fund which is designated for project construction be expended under section 4757 of this title, until such time as:

* * *

(b) The bond bank may make loans to a municipality for the preparation of final engineering plans and specifications subject to the following conditions and limitations:

(1) The loan shall be evidenced by a note, executed by the municipality, payable over a term not to exceed ~~20~~ 30 years at zero percent interest in equal annual payments.

(2) The ~~secretary of natural resources~~ Secretary of Natural Resources shall have certified to the bond bank that the project:

(A) has priority for award of a planning loan;

(B) for which final engineering plans are to be prepared, is described in a preliminary engineering plan or facilities plan that has been approved by the secretary; and

1 (C) is in conformance with applicable state and federal law and
2 regulations promulgated thereunder.

3 * * *

4 **Sec. X. FISH AND WILDLIFE: FLEXIBILITY TO MOVE FUNDS**

5 * * * Public Safety * * *

6 Sec. X. PITTSFORD TRAINING CENTER

7 **[Insert language on tying money to governance structure]**

8 * * * Security * * *

9 **Sec. X. STATE HOUSE SECURITY**

10 * * * Effective Date * * *

11 Sec. X. EFFECTIVE DATE

12 This act shall take effect on passage.