

1 Introduced by Committee on Corrections and Institutions

2 Date:

3 Subject: Capital Construction; appropriations; State bonding

4 Statement of purpose of bill as introduced: This bill proposes to adjust the
5 fiscal year 2016 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 * * * Capital Appropriations * * *

9 Sec. 1. 2015 Acts and Resolves No. 26, Sec. 2 is amended to read:

10 Sec. 2. STATE BUILDINGS

11 * * *

12 (c) The following sums are appropriated in FY 2017:

13 * * *

14 (6) Statewide, BGS engineering and architectural project costs:

15 \$3,677,448.00 \$3,553,061.00

16 (7) Statewide, physical security enhancements:

17 \$200,000.00 \$1,200,000.00

18 (8) ~~Montpelier, 115 State Street, State House lawn, access~~

19 ~~improvements and water intrusion:~~ \$300,000.00 [Repealed.]

1 Statehouse, a generator for the Statehouse, and a generator for the Capitol

2 Complex.

3 Appropriation – FY 2016 \$41,313,990.00

4 Appropriation – FY 2017 ~~\$29,450,622.00~~ \$33,415,267.00

5 Total Appropriation – Section 2 ~~\$70,764,612.00~~ \$74,729,257.00

6 Sec. 2. 2015 Acts and Resolves No. 26, Sec. 3 is amended to read:

7 Sec. 3. ADMINISTRATION

8 (a) The ~~following sums are~~ sum of \$125,000.000 is appropriated in FY
9 2016 to the Department of Taxes for the Vermont Center for Geographic
10 Information for an ongoing project to update statewide quadrangle maps
11 through digital orthophotographic quadrangle mapping:

12 ~~(1) \$125,000.00 is appropriated in FY 2016.~~

13 ~~(2) \$125,000.00 is appropriated in FY 2017.~~

14 (b) The following sums are appropriated to the Department of Finance and
15 Management for the ERP expansion project (Phase II):

16 (1) \$5,000,000.00 is appropriated in FY 2016.

17 (2) ~~\$9,267,470.00~~ \$8,767,470.00 is appropriated in FY 2017.

18 (c) The sum of \$5,463,211.00 is appropriated in FY 2017 to the Agency of
19 Human Services for the Health and Human Services Enterprise IT System.

20 Appropriation – FY 2016 \$5,125,000.00

21 Appropriation – FY 2017 ~~\$14,855,681.00~~ \$14,230,681.00

1 (d) The following sums are appropriated in FY 2017 to the Agency of
2 Commerce and Community Development for the following projects described
3 in this subsection:

4 (1) Underwater preserves: \$30,000.00

5 (2) Placement and replacement of roadside historic markers:
6 \$15,000.00

7 (3) Update statewide quadrangle maps through digital
8 orthophotographic quadrangle mapping: \$125,000.00

9 Appropriation – FY 2016 \$393,000.00

10 Appropriation – FY 2017 \$295,000.00 \$420,000.00

11 Total Appropriation – Section 6 \$688,000.00 \$813,000.00

12 Sec. 5. 2015 Acts and Resolves No. 26, Sec. 11 is amended to read:

13 Sec. 11. NATURAL RESOURCES

14 * * *

15 (d) The following sums are appropriated in FY 2017 to the Agency of
16 Natural Resources for the Department of Environmental Conservation for the
17 projects described in this subsection:

18 (1) the Water Pollution Control Fund for the Clean Water State/EPA
19 Revolving Loan Fund (CWSRF) match: \$1,300,000.00

20 * * *

1 2017 to the Department of Military for the projects described in this
2 subsection:

3 (1) Construction, maintenance, renovations, roof replacements, ADA
4 renovations, and energy upgrades at State armories. To the extent feasible,
5 these funds shall be used to match federal funds: \$750,000.00

6 (2) Randolph, Vermont Veterans' Memorial Cemetery, project costs not
7 covered by federal grant funds: \$188,000.00

8 Appropriation – FY 2016 \$809,759.00

9 Appropriation – FY 2017 \$750,000.00 \$938,000.00

10 Total Appropriation – Section 12 \$1,559,759.00 \$1,747,759.00

11 Sec. 7. 2015 Acts and Resolves No. 26, Sec. 13 is amended to read:

12 Sec. 13. PUBLIC SAFETY

13 * * *

14 (c) The following sums are appropriated in FY 2017 to the Department of
15 Buildings and General Services for the Department of Public Safety as
16 described in this subsection:

17 (1) Williston, State Police Barracks, 911 Center, acoustical design,
18 renovations, and furnishings: \$250,000.00

19 (2) Westminster, DPS Facility, project cost adjustment for unanticipated
20 site conditions and code modifications: \$400,000.00

1	<u>(3) Waterbury, State office complex, blood analysis laboratory,</u>	
2	<u>renovations:</u>	<u>\$460,000.00</u>
3	Total Appropriation – Section 13 <u>Appropriation – FY 2016</u>	\$300,000.00
4	<u>Appropriation – FY 2017</u>	<u>\$1,110,000.00</u>
5	<u>Total Appropriation – Section 13</u>	<u>\$1,410,000.00</u>

6 Sec. 8. 2015 Acts and Resolves No. 26, Sec. 21 is amended to read:

7 Sec. 21. REALLOCATION OF FUNDS; TRANSFER OF FUNDS

8 (a) The following sums are reallocated to the Department of Buildings and
9 General Services from prior capital appropriations to defray expenditures
10 authorized in Sec. 2 of this act:

11 * * *

12	<u>(11) of the amount appropriated in 2008 Acts and Resolves No. 200,</u>	
13	<u>Sec. 20 (Vermont Veterans Home):</u>	<u>\$60,991.12</u>
14	<u>(12) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
15	<u>Sec. 2(b) (Hebard State Office Building):</u>	<u>\$206.34</u>
16	<u>(13) of the amount appropriated in 2011 Acts and Resolves No. 40,</u>	
17	<u>Sec. 4(a) (Health laboratory):</u>	<u>\$0.06</u>
18	<u>(14) of the amount appropriated in 2012 Acts and Resolves No. 104,</u>	
19	<u>Sec. 2(c)(7) (Vermont Veterans Memorial Cemetery Master Plan):</u>	<u>\$1,622.94</u>

1 Department of Buildings and General Services to defray expenditures
2 authorized in Sec. 2 of this act:

3 * * *

4 (6) of the amount appropriated in 2014 Acts and Resolves No. 178, Sec.
5 6 (water pollution control projects): \$3,253.00

6 (7) of the amount appropriated to the Vermont Pollution Control
7 Revolving Fund established in 24 V.S.A. § 4753: \$500,000.00

8 (8) of the amount appropriated to the Vermont Water Source Protection
9 Fund established in 24 V.S.A. § 4753: \$200,000.00

10 (c) The following sums are reallocated to the Department of Buildings and
11 General Services to defray expenditures authorized in Sec. 2 of this act:

12 * * *

13 (6) of the proceeds from the sale of property authorized in 2009 Acts
14 and Resolves No. 43, Sec. 25 (1193 North Ave., Thayer School): \$60,991.12

15 Total Reallocations and Transfers – Section 21 ~~\$1,648,656.08~~ \$1,740,371.00

16 Sec. 9. 2015 Acts and Resolves No. 26, Sec. 22 is amended to read:

17 Sec. 22. GENERAL OBLIGATION BONDS AND APPROPRIATIONS

18 * * *

19 (c) The State Treasurer is authorized to issue additional general obligation
20 bonds in the amount of \$9,265,021.25 that were previously authorized but

1 agreement must ensure that the State receives fair market value for any State
2 owned asset that is transferred or sold as part of any development agreement.

3 (c) Notwithstanding the authority contained in 29 V.S.A. §§ 152 and 166, if
4 the Commissioner determines that it is in the best interest of the State, the
5 Department of Buildings and General Services is authorized to purchase land
6 to meet any State or local permit requirements regarding conservation of land
7 or to mitigate the impact, cost, or duration to complete an already approved
8 capital construction project.

9 (d) Notwithstanding the authority contained in 29 V.S.A. § 166, the
10 Department of Buildings and General Services is authorized to enter
11 into agreements with interested parties for the future development of biomass
12 facilities consistent with the State's Agency Energy Plan. The Commissioner
13 of Buildings and General Services is authorized to enter into a pilot project
14 utilizing multiyear contracts with third parties to purchase thermal energy
15 should the Commissioner determine that it is in the best interest of the
16 State. Any agreement with a third party that pledges, sells, or conveys State
17 property must ensure that the State receives fair market value for any State
18 owned asset that is transferred or sold as part of the development agreement.

19 (f) Notwithstanding the authority contained in 29 V.S.A. § 164, the
20 Department of Buildings and General Services shall enter into a ground lease
21 or other similar legal instrument with Vermont Technical College (VTC) for

1 the purpose of locating the Agency of Agriculture, Food and Markets and
2 Agency of Natural Resources' collaborative laboratory on the Vermont
3 Technical College campus in Randolph, Vermont. The Department's authority
4 to enter into a ground lease with VTC also includes the authority to enter into
5 an agreement with VTC for the provision of thermal energy from VTC's
6 existing heat plant should the Commissioner determine that it is in the best
7 interests of the State, and consistent with the State Agency Energy Plan, for the
8 State to obtain thermal energy from VTC.

9 (g) The Department of Buildings and General Services is authorized to
10 enter into contractual obligations for the following projects:

11 (1) The Vermont Agriculture and Environmental Laboratory, located at
12 the Vermont Technical College site in Randolph, Vermont; and

13 (2) Roxbury Fish Hatchery, located in Roxbury, Vermont.

14 (h) On or before December 1, 2016, the Commissioner of Buildings and
15 General Services and the Commissioner of Public Safety shall investigate
16 opportunities for the Bradford State Police Barracks, including selling, leasing,
17 or gifting the property, and shall report back to the House Committee on
18 Corrections and the Senate Committee on Institutions with the findings.

19 (i) Pursuant to 2012 Acts and Resolves 104, Sec. 3, amending 2011 Acts
20 and Resolves No. 40, Sec. 2, the Commissioner of Buildings and General
21 Services shall notify the House Committee on Corrections and Institutions and

1 the Senate Committee on Institutions prior to any sale of the Weeks and Hanks
2 buildings at the Waterbury State Office Complex.

3 Sec. 11. 2011 Acts and Resolves No. 40, Sec. 26(b) is amended to read:

4 (b) ~~The commissioner of buildings and general services~~ Commissioner of
5 Buildings and General Services on behalf of the ~~division for historic~~
6 ~~preservation~~ Division for Historic Preservation is authorized to enter into the
7 agreements specified for the following properties, the proceeds of which shall
8 be dedicated to the fund created by Sec. 30 of this act:

9 (1) Fuller farmhouse at the Hubbardton Battlefield ~~state~~ State historic
10 site, authority to ~~sell or enter into a long term lease with covenants~~ demolish
11 the structure if the Town and Historical Society are not able to find adequate
12 funding for their use of the building on or before July 1, 2016; provided,
13 however, that the barn on the property shall be retained, and if the structure is
14 demolished, the foundation shall be capped to preserve any potential
15 archaeological sites.

16 * * *

17 (3) Bishop Cabin at Mount Independence State Historic Site in Orwell,
18 authority to ~~sell or enter into a long term lease with covenants on the land~~
19 demolish the Cabin and remove all materials.

20 * * *

1 Sec. 12. 2011 Acts and Resolves No. 40, Sec. 25(f), amending 2010 Acts and
2 Resolves No. 161, Sec. 25(f), is amended to read:

3 (f) Following consultation with the ~~state advisory council on historic~~
4 ~~preservation~~ State Advisory Council on Historic Preservation as required by
5 22 V.S.A. § 742(7) and pursuant to 29 V.S.A. § 166, the ~~commissioner of~~
6 ~~buildings and general services~~ Commissioner of Buildings and General
7 Services is authorized to subdivide and sell the house, barn, and up to 10 acres
8 of land at 3469 Lower Newton Road in St. Albans. ~~Net proceeds of the sale~~
9 ~~shall be deposited in the historic property stabilization and rehabilitation fund~~
10 ~~established in Sec. 30 of this act.~~

11 Sec. 13. 29 V.S.A. § 155 is amended to read:

12 § 155. ~~HISTORIC PROPERTY STABILIZATION AND~~
13 ~~REHABILITATION SPECIAL FUND~~

14 (a) ~~There is established a special fund managed by and under the authority~~
15 ~~and control of the Commissioner, comprising net revenue from the sale or~~
16 ~~lease of underutilized State owned historic property to be used for the purposes~~
17 ~~set forth in this section. Any remaining balance at the end of the fiscal year~~
18 ~~shall be carried forward in the Fund; provided, however, that if the Fund~~
19 ~~balance exceeds \$250,000.00 as of November 15 in any year, then the General~~
20 ~~Assembly shall reallocate funds not subject to encumbrances for other~~
21 ~~purposes in the next enacted capital appropriations bill.~~

1 ~~(b) Monies in the Fund shall be available to the Department for the~~
2 ~~rehabilitation or stabilization of State-owned historic properties that are~~
3 ~~authorized by the General Assembly to be in the Fund program, for payment of~~
4 ~~costs of historic resource evaluations and archeological investigations, for~~
5 ~~building assessments related to a potential sale or lease, for one-time fees for~~
6 ~~easement stewardship and monitoring, and for related one-time expenses.~~

7 ~~(c) On or before January 15 of each year, the Department shall report to the~~
8 ~~House Committee on Corrections and Institutions and the Senate Committee~~
9 ~~on Institutions concerning deposits into and disbursements from the Fund~~
10 ~~occurring in the previous calendar year, the properties sold, leased, stabilized,~~
11 ~~or rehabilitated during that period, and the Department's plans for future~~
12 ~~stabilization or rehabilitation of State-owned historic properties.~~

13 ~~(d) Annually, the list presented to the General Assembly of State-owned~~
14 ~~property the Commissioner seeks approval to sell pursuant to section 166 of~~
15 ~~this title shall identify those properties the Commissioner has identified as~~
16 ~~underutilized State-owned historic property pursuant to subsection (b) of this~~
17 ~~section.~~

18 ~~(e) For purposes of this section, "historic property" has the same meaning~~
19 ~~as defined in 22 V.S.A. § 701. [Repealed.]~~

20 Sec. 14. 29 V.S.A. § 1556 is amended to read:

21 § 1556. STATE SURPLUS PROPERTY

1 All material, equipment, and supplies found to be surplus by any ~~state~~ State
2 agency or department shall be transferred to the ~~commissioner of buildings and~~
3 ~~general services~~ Commissioner of Buildings and General Services. The
4 ~~commissioner of buildings and general services~~ Commissioner of Buildings
5 and General Services shall be responsible for the disposal of surplus ~~state~~ State
6 property. The ~~commissioner of buildings and general services~~ Commissioner
7 of Buildings and General Services may:

8 (1) transfer the ownership of State-owned surplus property to any other
9 ~~state~~ State agency or department, municipality or municipal service
10 organization, school, or nonprofit organization having a justifiable need for the
11 property, and assess an administrative fee if deemed appropriate;

12 * * *

13 Sec. 15. 29 V.S.A. § 821(b) is amended to read:

14 (b) State correctional facilities. The names of State correctional facilities
15 shall be as follows:

16 * * *

17 ~~(10) In Waterbury, “Dale Correctional Facility.”~~

18 Sec. 16. SOUTHEAST STATE CORRECTIONAL FACILITY; WINDSOR;

19 LAND TRANSFER

20 (a) On or before August 1, 2016, the Department of Buildings and General
21 Services shall conduct a survey of the 160-acre portion of the State-owned

1 parcel in the Town of Windsor known as the “Windsor Prison Farm” that is
2 under the jurisdiction of the Department of Buildings and General Services and
3 described in Executive Order 08-15.

4 (b) Within 30 days of receipt of the survey described in subsection (a) of
5 this section, the Commissioner of Buildings and General Services shall transfer
6 to the jurisdiction of the Department of Fish and Wildlife the land identified in
7 the survey that is not used by the Department of Buildings and General
8 Services for the operation of the Southeast State Correctional Facility;
9 provided, however, that the Commissioner shall transfer no more than 45 acres
10 to the Department of Fish and Wildlife.

11 * * * Effective Dates * * *

12 Sec. 17. EFFECTIVE DATES

13 This act shall take effect on passage, except that Sec. 13 shall take effect on
14 July 1, 2017.