



## Director's Office

One Capitol Hill | Providence, RI 02908 | (401) 222-2280

March 25, 2025

The Honorable David A. Bennett  
Chairperson  
House Committee on Environment and Natural Resources  
Rhode Island House of Representatives  
82 Smith Street  
Providence, RI 02903

### **Re: House Bill 7081 – An Act Relating To Health And Safety -- Next Generation Public Buildings Act**

Dear Chairperson Bennett,

Thank you for providing the Division of Capital Asset Management & Maintenance (“Division”) within the Department of Administration (“Department”) the opportunity to respectfully submit this letter of opposition in response to House Bill No. 7081, which prohibits the use of heating systems utilizing fossil fuels, as well as air or water heating systems, in any state or municipal building open to the public constructed, altered or renovated on or after January 1, 2028.

The Division appreciates the intent of the legislation but is concerned about the impact it will have on State capital projects. Many of the State’s buildings were built decades ago and would require a substantial capital investment to eliminate combustion-based heating for air or water heating. The Capital Improvement Plan and Rhode Island Capital Plan Fund (RICAP) schedules improvements and new projects five years in advance, with little to no wiggle room in available funds. As such, amending project budgets to absorb the significant cost of heating system upgrades that are not currently included in project scope is financially infeasible, particularly by the January 1, 2028, deadline.

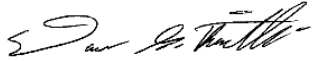
Further, the legislation is not clear regarding the definition of “hospital” or “laboratory” and given the State’s unique portfolio of facilities, we would require clarification as to whether these “hospital” and “laboratory” exemptions would extend to buildings that house hospital support functions, including administrative offices, pharmacy operations, and medical records storage, as well as other clinical extended-care facilities.

This legislation also sets an applicability threshold for the renovations of state, municipal, and school buildings at 50% of the building’s value or in any instance where there is any extension or increase in floor area. The 50% threshold could reasonably include an older, depreciated building that needs to upgrade its plumbing. While the renovations would not touch the envelope or heating systems within a building, it would still be subject to this additional costly capital investment. A prime example of this would be a group home facility, where the facility is in need of asset protection upgrades and renovations, but the building itself is not worth a significant value, setting a low applicability threshold. Requiring an existing building to change the heating system because they need plumbing upgrades in bathroom facilities is not only unreasonable, but it’s not feasible given the strict nature of procurement rules, project budgets, and scope of work.

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The Division appreciates the opportunity to share our concerns over this legislation with the Committee. If there are any questions, please feel free to contact my office at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Dane Kwiatkowski". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dane Kwiatkowski  
Acting Director of Capital Projects, Division of Capital Asset Management and Maintenance

cc: The Honorable Members of the House Committee on Environment and Natural Resources  
The Honorable Jennifer Boylan  
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House  
Louis Mansolillo, Committee Clerk