

VT Agency of Transportation
01/07/2014
FY2014 Budget Adjustment Language
House Transportation Committee

Sec. 53. EXEMPTIONS FROM TRANSPORTATION FUND BUDGET STABILIZATION RESERVES

(a) Transportation fund amounts totaling \$3,046,632.26, reverted under the secretary of administration's carry forward authority in Sec. 69(a) of No. 75 of the Acts of 2012, are exempt from the fiscal year 2012 transportation fund appropriation total used to calculate the five percent budget stabilization requirement for fiscal year 2013 in 32 V.S.A. § 308a.

(b) Transportation fund amounts totaling \$560,963.64, reverted under the secretary of administration's carry forward authority in Sec. 57(a) of No. 1 of the Acts of 2013, are exempt from the fiscal year 2013 transportation fund appropriation total used to calculate the five percent budget stabilization requirement for fiscal year 2014 in 32 V.S.A. § 308a.

EXPLANATION: Transportation Fund revenue reductions in FY 2012 and FY 2013 have entailed reversion of spending authority, which should reduce the amounts needed to fulfill the 5% budget stabilization calculation in 32 VSA Sec 308a.

Sec. 55. SOUTH BURLINGTON; SALE OF SURPLUS LAND

(a) The Secretary of Transportation, as agent for the State of Vermont, is authorized to sell a parcel of surplus land at 1775 Shelburne Road in the City of South Burlington, excepting and reserving land and rights required for Transportation Project F EGC-019-4(19). The Secretary is authorized to list the sale of this property with a real estate agent licensed by the State of Vermont and may convey the property by warranty deed.

(b) Notwithstanding 19 V.S.A. § 26(a)(2), the Secretary shall deposit the sale proceeds in the Transportation Fund.

EXPLANATION: The sale of surplus property – land owned by AOT and no longer needed for a cancelled road project - located on Route 7 (Shelburne Road) in South Burlington was a component of the Agency of Transportation FY2014 Interim Budget and Appropriation Adjustment Plan as per 32 VSA §704(b)(1) and (c) that was approved by the Joint Fiscal Committee on September 11, 2013. The Agency put the project out to bid and the acceptance of the winning bid was subject to the approval of the Joint Transportation Oversight Committee (JTOC), per 19 VSA Sec 26(b). JTOC did not approve the sale, and in its motion at its November 21, 2013 meeting proposed that the Secretary of AOT be authorized to list the sale of this property. The language in (a) authorizes the Agency to attempt to list and sell the parcel through a real estate agent. The language in (b) directs the proceeds from any sale to the transportation fund. Without the language in (b), 19 VSA Sec 26(a)(2) requires that the proceeds from the sale would be directed specifically to the transportation buildings program. The proposed language in (b) will direct the proceeds to the transportation fund without specifying they be used for transportation buildings.

Sec. 57. Sec. 87(e) of No. 75 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(e) In the agency of transportation, twenty-one (21) new limited service classified positions related to the response to Tropical Storm Irene and Spring 2011 flooding are authorized to be established in fiscal year 2012. These positions shall terminate on June 30, ~~2014~~ 2016. Upon agreement between the secretary of transportation and the secretary of natural resources, positions above as needed may be transferred to the agency of natural resources to provide river management engineering and other services in storm-impacted towns.

EXPLANATION: See next section.

Sec. 58. Sec. 21(a) of No. 153 of the Acts of the 2011 Adj. Sess. (2012) is amended to read:

(a) The agency may establish 17 new limited service positions related to the response to Tropical Storm Irene and the spring 2011 flooding. This authority shall expire on June 30, ~~2014~~ 2016, and the positions shall terminate by June 30, ~~2014~~ 2016.

EXPLANATION: The work associated with the response to Tropical Storm Irene and the spring 2011 flooding continues, and in addition there were two additional FEMA Public Assistance disasters and one FHWA Emergency Relief event during 2013. The language extends the limited service positions for an additional two years to complete the work related to Irene and the additional work burden associated with the new disaster declarations. Sufficient funding for the positions is available from a combination of state funds, FEMA funds, and FHWA funds.