

1 Introduced by Committee on Transportation

2 Date:

3 Subject: Transportation; capital program

4 Statement of purpose of bill as introduced: This bill proposes to adopt, with  
5 modifications, the Agency of Transportation’s proposed Transportation  
6 Program for fiscal year 2016 and to make miscellaneous additions and changes  
7 to laws related to transportation.

8 An act relating to the State’s Transportation Program and miscellaneous  
9 changes to laws related to transportation

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

11 \* \* \* Transportation Program; Definitions \* \* \*

12 Sec. 1. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

13 (a) The Agency of Transportation’s proposed fiscal year 2016  
14 Transportation Program appended to the Agency of Transportation’s proposed  
15 fiscal year 2016 budget, as amended by this act, is adopted to the extent  
16 federal, State, and local funds are available.

17 (b) As used in this act, unless otherwise indicated:

18 (1) “Agency” means the Agency of Transportation.

19 (2) “Secretary” means the Secretary of Transportation.

1           (3) The table heading “As Proposed” means the Transportation Program  
2           referenced in subsection (a) of this section; the table heading “As Amended”  
3           means the amendments as made by this act; the table heading “Change” means  
4           the difference obtained by subtracting the “As Proposed” figure from the “As  
5           Amended” figure; and the term “change” or “changes” in the text refers to the  
6           project- and program-specific amendments, the aggregate sum of which equals  
7           the net “Change” in the applicable table heading.

8           (4) “TIB funds” or “TIB” refers to monies deposited in the  
9           Transportation Infrastructure Bond Fund in accordance with 19 V.S.A. § 11f.

10                           \* \* \* Personnel or Labor Cost Savings \* \* \*

11           Sec. 2. FISCAL YEAR 2016 PERSONNEL OR LABOR COST SAVINGS

12           In addition to all other reductions in spending authority under this act,  
13           overall fiscal year 2016 Transportation Program spending is reduced by  
14           \$1,000,000.00 in transportation funds, through personnel or labor cost savings,  
15           or both, identified by the Secretary.

16                           \* \* \* Program Development – Funding \* \* \*

17           Sec. 3. PROGRAM DEVELOPMENT – FUNDING

18           (a) Spending authority in Program Development in fiscal year 2016 is  
19           modified in accordance with this section. Among projects selected in the  
20           Secretary’s discretion in accordance with subsection (b) of this section, the  
21           Secretary shall:

1           (1) increase project spending authority in the total amount of  
2           \$4,514,996.00 in transportation funds;

3           (2) reduce project spending authority in the total amount of  
4           \$6,600,000.00 in TIB funds;

5           (3) reduce project spending authority in the total amount of  
6           \$8,340,016.00 in federal funds.

7           (b) In exercising his or her discretion to select projects on which spending  
8           will be reduced, the Secretary shall not delay a project that otherwise would  
9           proceed in fiscal year 2016, unless the full amount of the reduction required  
10           under subsection (a) of this section cannot be achieved from project savings or  
11           unforeseen delays that prevent a project from proceeding in fiscal year 2016.  
12           If a project that otherwise would have proceeded in fiscal year 2016 is delayed,  
13           the Secretary shall promptly notify:

14           (1) the House and Senate Committees on Transportation when the  
15           General Assembly is in session; or

16           (2) the Joint Transportation Oversight Committee and the Joint Fiscal  
17           Committee Office when the General Assembly is not in session.

18                                   \* \* \* Paving Program \* \* \*

19           Sec. 4. PROGRAM DEVELOPMENT – PAVING PROGRAM

20           Spending authority for the statewide–district leveling activity within the  
21           Program Development – Paving Program is amended to read:

	<u>FY16</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
1				
2	PE	0	0	0
3	Construction	5,200,000	3,700,000	-1,500,000
4	Total	5,200,000	3,700,000	-1,500,000
5	<u>Sources of funds</u>			
6	State	5,200,000	3,700,000	-1,500,000
7	TIB	0	0	0
8	Federal	0	0	0
9	Total	5,200,000	3,700,000	-1,500,000

10 \* \* \* Maintenance Program \* \* \*

11 Sec. 5. MAINTENANCE PROGRAM

12 (a) Total authorized spending in the Maintenance Program is amended as  
13 follows:

	<u>FY16</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
14				
15	Personal services	43,784,445	43,784,445	0
16	Operating expenses	43,890,139	43,190,139	-700,000
17	Grants	95,000	95,000	0
18	Total	87,769,584	87,069,584	-700,000

19 Sources of funds

20	State	83,169,447	82,469,447	-700,000
21	Federal	4,500,137	4,500,137	0

1	Interdep't transfer	100,000	100,000	0
2	Total	87,769,584	87,069,584	-700,000

3       (b) The reduction in authorized Maintenance Program spending under  
4       subsection (a) of this section shall be allocated among maintenance activities  
5       as specified by the Secretary.

6                               \* \* \* Town Highway Structures \* \* \*

7       Sec. 6. TOWN HIGHWAY STRUCTURES

8       Spending authority for Town Highway Structures Program is amended  
9       to read:

10	<u>FY16</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
11	Grants	6,333,500	9,483,500	3,150,000
12	Total	6,333,500	9,483,500	3,150,000

13       Sources of funds

14	State	6,333,500	9,483,500	3,150,000
15	Federal	0	0	0
16	Total	6,333,500	9,483,500	3,150,000

17                               \* \* \* Rest Areas \* \* \*

18       Sec. 7. REST AREAS PROGRAM; PROJECT CANCELLATION

19       Pursuant to 19 V.S.A. § 10g(h) (legislative approval for cancellation of  
20       projects), the General Assembly approves cancellation of the following Rest

1 Areas Program project: Derby IM 091-3(8) (expansion of Derby I-91 rest  
2 area).

3 Sec. 8. REST AREAS PROGRAM; PROJECT ADDITION

4 The following project is added to the candidate list of the Rest Areas  
5 Program within the fiscal year 2016 Transportation Program: Derby IM 091-3  
6 ( ) (rehabilitation of Derby I-91 rest area).

7 \* \* \* Central Garage \* \* \*

8 Sec. 9. TRANSFER TO CENTRAL GARAGE FUND

9 Notwithstanding 19 V.S.A. § 13(c), in fiscal year 2016, the amount of  
10 \$162,504.00 is transferred from the Transportation Fund to the Central Garage  
11 Fund created in 19 V.S.A. § 13.

12 \* \* \* Transportation Revenue Study Committee \* \* \*

13 Sec. 10. TRANSPORTATION REVENUE STUDY COMMITTEE

14 (a) The General Assembly finds that policies implemented by the State of  
15 Vermont and the federal government in order to meet economic,  
16 environmental, and quality of life goals have and will continue to reduce motor  
17 vehicle fuel consumption and motor vehicle fuel tax revenues. These policies  
18 include fuel economy standards, alternative fuel vehicle programs,  
19 transportation demand management programs, and support for bicycle and  
20 pedestrian facilities and transit programs. Under the existing transportation  
21 revenue structure, the State faces a challenge and a trade-off between ensuring

1 stable and sufficient revenues to maintain its transportation infrastructure while  
2 also promoting policies that reduce motor vehicle fuel consumption. To meet  
3 this challenge, the State must develop a sufficient and more stable revenue  
4 stream that allows the State to maintain its transportation infrastructure in good  
5 repair while also meeting economic, environmental, and quality of life goals.

6 (b) A Transportation Revenue Study Committee is established to identify  
7 and evaluate revenue streams, other than motor vehicle fuel taxes, needed to  
8 maintain the State’s transportation system in good repair and that account for  
9 State and federal policies that have and will continue to reduce motor vehicle  
10 fuel consumption. The Committee shall consist of:

11 (1) the Secretary of Transportation or designee, who shall serve as

12 Chair;

13 (2) the Commissioner of Motor Vehicles or designee;

14 (3) one member appointed by the Senate Committee on Committees;

15 (4) one member appointed by the Speaker of the House;

16 (5) one member designated by the Vermont League of Cities and

17 Towns;

18 (6) one member designated by the Vermont Association of Planning and

19 Development Agencies, Inc.;

20 (7) one member designated by the Vermont Public Transportation

21 Association; and

1           (8) one member designated by the University of Vermont’s  
2           Transportation Research Center.

3           (c) The Committee shall:

4           (1) review and expand on the recommendations contained in the report  
5           on transportation funding required by 2012 Acts and Resolves No. 153,  
6           Sec. 40, by focusing on the identification and analysis of alternative funding  
7           sources, other than motor vehicle fuel taxes, for the construction,  
8           rehabilitation, and maintenance of Vermont’s transportation infrastructure;

9           (2) review the actions of other states and provinces that have reduced or  
10           eliminated motor vehicle fuel taxes and replaced them with other revenue  
11           sources;

12           (3) review current state and federal transportation funding sources and  
13           policies; and

14           (4) identify revenue sources, other than local property taxes, to support  
15           the local share of increasing costs or the expansion of public transportation  
16           services statewide.

17           (d) The Secretary shall call the first meeting of the Committee by June 15,  
18           2015. The Committee shall deliver a written report of its findings, and of any  
19           options for proposed legislation, to the House and Senate Committees on  
20           Transportation on or before January 15, 2016. The Committee shall cease to  
21           exist on January 15, 2016.



1 (e) Upon the request of the Committee, the Agency may contract with  
2 consultants to provide expert assistance to the Committee. Any consultant fees  
3 shall be paid out of the Transportation – Policy and Planning appropriation.  
4 Upon request, the Committee shall receive administrative support from the  
5 Agency and assistance from the Joint Fiscal Office, the Office of Legislative  
6 Council, and any unit of the Executive Branch the Committee deems  
7 appropriate.

8 (f) For attendance at a meeting when the General Assembly is not in  
9 session, legislative members of the Committee shall be entitled to  
10 compensation for services and reimbursement of expenses as provided under  
11 2 V.S.A. § 406(a). Other committee members who are not otherwise  
12 compensated or reimbursed by their employer shall be entitled to per diem  
13 compensation and reimbursement for expenses under 32 V.S.A. § 1010. Funds  
14 disbursed under this subsection shall be paid out of the Transportation – Policy  
15 and Planning appropriation.

16 \* \* \* Bus Service Study \* \* \*

17 Sec. 11. STUDY OF ALBANY TO BENNINGTON TO MANCHESTER  
18 BUS SERVICE

19 (a)(1) In consultation with Amtrak, the Agency shall study the expected  
20 benefits and costs to the State of Vermont, implementation steps, and timeline  
21 associated with Amtrak’s initiating and operating a bus service for Amtrak

1 passengers from Amtrak’s Albany, New York train station (in Rensselaer,  
2 New York) to Manchester, Vermont via Bennington, Vermont.

3 (2) The Agency also shall study the expected benefits and costs to the  
4 State of Vermont, implementation steps, and timeline associated with the  
5 initiation and operation of an Albany to Bennington to Manchester bus service  
6 that is available to the general public and provided by an entity other than  
7 Amtrak.

8 (b) The Agency shall report its findings under this section to the House and  
9 Senate Committees on Transportation on or before January 15, 2016.

10 \* \* \* Montpelier to St. Albans Commuter Rail Service; Feasibility Study \* \* \*

11 Sec. 12. MONTPELIER TO ST. ALBANS COMMUTER RAIL SERVICE;

12 FEASIBILITY STUDY

13 (a) The General Assembly finds that:

14 (1) the Interstate 89 (I-89) corridor between the cities of St. Albans and  
15 Montpelier encompasses approximately one-third of Vermont’s population;

16 (2) interregional commuting travel throughout this corridor has  
17 increased over the past two decades;

18 (3) development growth in these areas is anticipated to continue into the  
19 future, thereby creating additional interregional commuting travel challenges  
20 and opportunities; and

1           (4) the State has not previously assessed the viability of commuter rail  
2           service along this corridor.

3           (b) The Agency shall conduct a commuter rail feasibility study for the  
4           corridor between St. Albans, Essex Junction, and Montpelier, which shall also  
5           include a study of connecting service to Burlington. The purpose of the study  
6           is to determine the feasibility of implementing a commuter rail system within  
7           the corridor, to estimate the time horizon to plan for and design the service, to  
8           estimate ridership potential, to estimate costs for operations and capital  
9           acquisition, and to identify any other general operational, capital, legal, and  
10          administrative requirements.

11          (c) In conducting the study, the Agency shall consult with the following  
12          entities: Chittenden County Transportation Authority, Green Mountain Transit  
13          Agency, New England Central Railroad, Vermont Rail System, the Vermont  
14          Rail Council, communities along the study corridor, and regional planning  
15          commissions, regional development corporations, and chambers of commerce  
16          that serve communities and businesses along the study corridor.

17          (d) The Agency shall deliver a written report of its findings to the House  
18          and Senate Committees on Transportation on or before January 15, 2017.

1                   \* \* \* Elders and Persons with Disabilities Program \* \* \*

2           Sec. 13. REVIEW OF VERMONT ELDERS AND PERSONS WITH  
3                   DISABILITIES TRANSPORTATION PROGRAM

4           (a) The General Assembly finds that:

5                   (1) An analysis of the demand for transportation services for the  
6           Vermont Elders and Persons with Disabilities Transportation Program (E&D  
7           Program) has not been conducted in 10 years.

8                   (2) State policymakers should have accurate information concerning the  
9           funding gap that may exist between available funding for the E&D Program  
10           and the current and projected need for transportation services for elders and  
11           persons with disabilities over the next 10 years.

12                   (3) The successful use of the Medicaid adult day services program is  
13           placing heavy demand on E&D Program funding resources.

14           (b) The Agency shall review the E&D Program and analyze the gap  
15           between current and projected Program resources and Program needs for  
16           transportation services over a 10-year time frame. The Agency shall solicit the  
17           participation of the regional Elderly and Disabled Transportation Committees  
18           in conducting its review.

19           (c) In carrying out the review, the Agency shall analyze:

20                   (1) the gap between current and projected E&D Program resources and  
21           needs for transportation services, on regional and statewide levels;

1           (2) regional transportation service delivery models and their adequacy in  
2           meeting program participant needs;

3           (3) challenges that exist for partner organizations to raise local matching  
4           funds for transportation services;

5           (4) the impact of the Medicaid adult day services program waiver on the  
6           E&D Program; and

7           (5) existing and emerging transportation technology and the potential  
8           role it could play in increasing service to elders and persons with disabilities.

9           (d) The Agency shall submit a written report of its findings to the House  
10           and Senate Committees on Transportation on or before January 15, 2016.

11                           \* \* \* Authority of the Agency and Secretary \* \* \*

12           Sec. 14. 5 V.S.A. § 204 is amended to read:

13           § 204. POWERS OF AGENCY GENERALLY

14           (a) To carry out the purposes of this part, the Agency of Transportation  
15           shall have power, subject to subsection (b) of this section:

16                   (1) To contract in the name of the State with individuals, firms, or  
17           corporations, with officials of a town, city, or village, with officials of a group  
18           of either or both of such governmental units, with officials of another state, or  
19           with officials or agencies of the federal government to carry out the purposes  
20           of this part.

1 (2) To receive, manage, use, or expend, for purposes directed by the  
2 donor, gifts, grants, or contributions of any name or nature made to the State  
3 for the promotion or development of aeronautics or for aeronautics facilities.

4 The authority granted in this subdivision shall be subject to the provisions of  
5 32 V.S.A. § 5.

6 \* \* \*

7 Sec. 15. 5 V.S.A. § 206 is amended to read:

8 § 206. COOPERATION WITH UNITED STATES; FEDERAL AND  
9 OTHER ~~MONEYS~~ MONIES RECEIVED; DEPOSIT,  
10 DESIGNATION, APPROPRIATION, AND DISBURSEMENT

11 (a) The ~~agency~~ Agency is authorized to cooperate with the government of  
12 the United States in the acquisition, construction, improvement, maintenance,  
13 and operation of airports and other navigation facilities in this ~~state~~ State, and  
14 to comply with the provisions of the laws or regulations of the United States  
15 for the expenditure of federal ~~moneys~~ monies upon airports and other air  
16 navigation facilities.

17 (b) ~~It~~ The Agency is authorized to accept, receive, and receipt for federal  
18 ~~moneys~~ monies and other ~~moneys~~ monies, either public or private, for and in  
19 behalf of this ~~state~~ State, appropriated to the Agency or that have been  
20 approved for receipt pursuant to 32 V.S.A. § 5 or 511.

1 (c) All ~~moneys~~ monies accepted for disbursement by the ~~agency~~ Agency  
2 pursuant to subsection (b) of this section shall be deposited in the ~~state treasury~~  
3 State Treasury and, unless otherwise prescribed by the authority from which  
4 the money is received, kept in separate funds, designated according to the  
5 purposes for which the ~~moneys~~ monies were made available, and held by the  
6 ~~state~~ State in trust for such purposes. All ~~moneys are hereby appropriated for~~  
7 ~~the purposes for which they were made available, to~~ monies shall be expended  
8 for the purposes for which they were made available and in accordance with  
9 federal laws and regulations and with this chapter. The ~~agency~~ Agency is  
10 authorized, whether acting for this ~~state~~ State or as the agent of any of its  
11 municipalities, or when requested by the ~~United States~~ U.S. government or any  
12 agency or department of the ~~United States~~ U.S. government, to disburse such  
13 ~~moneys~~ monies for the designated purposes, but this shall not preclude any  
14 other authorized method of disbursement.

15 Sec. 16. 19 V.S.A. § 1502 is amended to read:

16 § 1502. COOPERATION WITH FEDERAL GOVERNMENT

17 (a) To effect the purposes of section 1501 of this title, the ~~agency~~ Agency  
18 may comply with federal rules and regulations, and may use so much of the  
19 funds appropriated to the Agency, or available to it pursuant to 32 V.S.A. § 5  
20 or 511, for highway purposes as shall be necessary to secure aid from the  
21 federal government under the federal act specified in section 1501; and in

1 addition may use ~~further~~ such sums as may be necessary for surveys, plans,  
2 specifications, estimates, and assistance necessary to carry out the provisions  
3 of this chapter.

4 (b) To carry out the transportation planning process required by the  
5 Intermodal Surface Transportation Efficiency Act of 1991 (the Act), ~~Pub. L.~~  
6 ~~No. 102-240, § 1024, 105 Stat. 1914, 1955 (1991) (now codified at 23 U.S.C.~~  
7 ~~§ 134)~~, as may be amended, the ~~governor~~ Governor shall designate a  
8 metropolitan planning organization for any urbanized area of more than 50,000  
9 population and may take other action necessary to ensure the ~~state's~~ State's  
10 compliance with the ~~federal act~~ Act and any federal regulations pertaining to  
11 the ~~act~~ Act. A designation of a metropolitan planning organization shall  
12 remain in effect until revoked by the ~~governor~~ Governor.

13 Sec. 17. 19 V.S.A. chapter 1 is amended to read:

14 CHAPTER 1. STATE HIGHWAY LAW; GENERAL  
15 TRANSPORTATION PROVISIONS

16 \* \* \*

17 § 7. SECRETARY; POWERS AND DUTIES

18 (a) The Agency shall be under the direction and supervision of a Secretary,  
19 who shall be appointed by the Governor with the advice and consent of the  
20 Senate and shall serve at the pleasure of the Governor.



1 (b) The Secretary shall be responsible to the Governor and shall plan,  
2 coordinate, and direct the functions vested in the Agency in accord with the  
3 transportation policies established ~~by the Agency~~ under ~~section 10b~~ of this  
4 title.

5 (c) The Secretary may, with the approval of the Governor, transfer  
6 classified positions between the Department, Divisions, and other components  
7 of the Agency, subject only to personnel laws and rules.

8 (d) The Secretary shall determine the administrative, operational, and  
9 functional policies of the Agency and be accountable to the Governor for these  
10 determinations. The Secretary shall exercise the powers and shall perform the  
11 duties required for the Agency's effective administration.

12 (e) In addition to other duties imposed by law, the Secretary shall:

13 (1) administer the laws assigned to the Agency;

14 (2) coordinate and integrate the work of the Agency;

15 (3) supervise and control all staff functions; and

16 (4) whenever the Agency is developing preliminary plans for a new or  
17 replacement maintenance facility or salt shed, first conduct a review of all  
18 previously developed building plans and give priority to utilizing a common,  
19 uniform, preexisting design.

20 (f) The Secretary may, within the authority of relevant State and federal  
21 statutes and regulations:

1           (1) ~~within the authority of relevant State and federal statutes and~~  
2 ~~regulations~~, transfer appropriations or parts of appropriations within or  
3 between the department, divisions, and sections;

4           (2) cooperate with the appropriate federal agencies and receive federal  
5 funds in support of programs within the Agency;

6           (3) submit plans and reports, and in other respects comply with federal  
7 laws and regulations which pertain to programs administered by the Agency;

8           (4) make rules consistent with the law for the internal administration of  
9 the Agency and its programs;

10          (5) create advisory councils or committees as he or she deems necessary  
11 within the Agency, and appoint the members for a term not exceeding his or  
12 hers. Councils or committees created pursuant to this subdivision may include  
13 persons who are not officers or employees of the Agency;

14          (6) provide training and instruction for ~~any~~ employees of the Agency at  
15 the expense of the Agency, and provide training and instruction for employees  
16 of Vermont municipalities. Where appropriate, the Secretary may provide  
17 training and instruction for municipal employees at the expense of the Agency;

18          (7) organize, reorganize, transfer, or abolish sections and staff function  
19 sections within the Agency; except however, the Secretary may not alter the  
20 number of highway districts without legislative approval.

21          (8) [Deleted.]

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\* \* \*

\* \* \* Potable Water Supply and Wastewater Systems Permits; Exemption \* \* \*

Sec. 18. 10 V.S.A. § 1974 is amended to read:

§ 1974. EXEMPTIONS

Notwithstanding any other requirements of this chapter, the following projects and actions are exempt:

\* \* \*

(7) the subdivision of an unimproved or improved lot or campground where the subdivision results from a transfer of property for a highway or other transportation project that is authorized under the State’s enacted Transportation Program or is an emergency project within the meaning of 19 V.S.A. § 10g(h), regardless of whether the State or the municipality has commenced any condemnation proceedings in connection with the project.

\* \* \* Highway Division Director \* \* \*

Sec. 19. 19 V.S.A. § 9(a) is amended to read:

(a) A director shall administer each division created within the ~~agency~~ Agency. The ~~secretary~~ Secretary shall appoint the directors, who shall be exempt from the classified service. The Director of the Highway Division shall be licensed as a professional engineer.

\* \* \* Municipalities; Clean Water \* \* \*

Sec. 20. 19 V.S.A. § 38 is amended to read:

§ 38. TRANSPORTATION ALTERNATIVES GRANT PROGRAM

\* \* \*

(f) Each year, ~~\$200,000.00~~ \$1,100,000.00 of the Grant Program funds, or such lesser sum if all eligible applications amount to less than ~~\$200,000.00~~ \$1,100,000.00, shall be reserved for municipalities for environmental mitigation projects relating to stormwater and highways, including eligible salt and sand shed projects. ~~Grant awards for eligible projects shall not exceed \$50,000.00 per project.~~ Regarding the balance of Grant Program funds, in evaluating applications for Transportation Alternatives grants, the Transportation Alternatives Grant Committee shall give preferential weighting to projects involving as a primary feature a bicycle or pedestrian facility. The degree of preferential weighting and the circumstantial factors sufficient to overcome the weighting shall be in the complete discretion of the Transportation Alternatives Grant Committee.

\* \* \*

Sec. 21. 19 V.S.A. § 38 is amended to read:

§ 38. TRANSPORTATION ALTERNATIVES GRANT PROGRAM

\* \* \*

1       (f) ~~Each year, \$1,100,000.00 of Grant Program funds, or such lesser sum if~~  
2 ~~all eligible applications amount to less than \$1,100,000.00, shall be reserved~~  
3 ~~for municipalities for environmental mitigation projects relating to stormwater~~  
4 ~~and highways, including eligible salt and sand shed projects. Regarding the~~  
5 ~~balance of Grant Program funds, in In evaluating applications for~~  
6 ~~Transportation Alternatives grants, the Transportation Alternatives Grant~~  
7 ~~Committee shall give preferential weighting to projects involving as a primary~~  
8 ~~feature a bicycle or pedestrian facility. The degree of preferential weighting~~  
9 ~~and the circumstantial factors sufficient to overcome the weighting shall be in~~  
10 ~~the complete discretion of the Transportation Alternatives Grant Committee.~~

11                       \* \* \*

12       Sec. 22. 19 V.S.A. § 306(i) is added to read:

13       (i) A Town Highway Clean Water Program is created in the Agency.  
14 Under the Program, the Agency shall assist municipalities in preparing to  
15 implement stormwater management requirements in connection with town  
16 highways.

17       Sec. 23. TOWN HIGHWAY CLEAN WATER PROGRAM

18       (a) In consultation with the Vermont League of Cities and Towns, the  
19 Agency shall examine existing Agency programs and activities that relate to or  
20 provide resources for stormwater management in connection with town  
21 highways. On or before January 15, 2016, the Agency shall submit

1 recommendations to the House and Senate Committees on Transportation on  
2 whether and how these programs and activities should be incorporated into or  
3 support the Town Highway Clean Water Program established in 19 V.S.A.  
4 § 306(i).

5 (b)(1) In the fiscal year 2017, 2018, and 2019 Transportation Programs  
6 adopted by the General Assembly, the General Assembly shall approve  
7 spending authority of at least \$1,000,000.00 for the Town Highway Clean  
8 Water Program for grants to municipalities for inventory activities or  
9 construction projects that address town highway stormwater management.  
10 Monies appropriated to implement such spending authority shall be drawn  
11 from transportation funds made available from the \$2,500,000.00 reduction  
12 scheduled to occur under 19 V.S.A. § 11a in the amount of transportation  
13 funds appropriated to the Department of Public Safety.

14 (2) In consultation with the Vermont League of Cities and Towns, the  
15 Agency shall evaluate the use of fiscal year 2017, 2018, and 2019 Town  
16 Highway Clean Water Program grants by municipalities, and shall estimate the  
17 needs of municipalities for grant funds under the Program in fiscal year 2020  
18 and in subsequent fiscal years. On or before January 15, 2019, the Agency  
19 shall submit the findings of its evaluation and estimate, and any  
20 recommendations for changes to the Program, to the House and Senate  
21 Committees on Transportation.

1           \* \* \* Motor Fuel Transportation Infrastructure Assessment \* \* \*

2           Sec. 24. 23 V.S.A. § 3106 is amended to read:

3           § 3106. IMPOSITION, RATE, AND PAYMENT OF TAX

4           (a)(1) Except for sales of motor fuels between distributors licensed in this  
5           State, which sales shall be exempt from the taxes and assessments authorized  
6           under this section, unless exempt under the laws of the United States at the  
7           time of filing the report required by section 3108 of this title, each distributor  
8           shall pay to the Commissioner:

9                   (A) a tax of \$0.121 upon each gallon of motor fuel sold by the  
10           distributor; and

11                   (B) the following assessments, ~~which shall be levied on the~~  
12           ~~tax-adjusted retail price of gasoline as defined herein:~~

13                   (i) a motor fuel transportation infrastructure assessment ~~in the~~  
14           ~~amount of~~ that is the greater of:

15                           (I) \$0.0415; or

16                           (II) two percent of the tax-adjusted retail price upon each  
17           gallon of motor fuel sold by the distributor; and

18                   (ii) a fuel tax assessment, which shall be used exclusively for  
19           transportation purposes and not be transferred from the Transportation Fund,  
20           that is the greater of:

21                           (I) \$0.134 per gallon; or

1 (II) four percent of the tax-adjusted retail price or \$0.18 per  
2 gallon, whichever is less, upon each gallon of motor fuel sold by the  
3 distributor.

4 \* \* \*

5 \* \* \* Welcome Center and Airport Namings \* \* \*

6 Sec. 25. 29 V.S.A. § 821(a) is amended to read:

7 (a) State buildings.

8 (1) “Asa Bloomer State Office Building” shall be the name of the  
9 building now known as the “Hulett” office building in the city of Rutland.

10 \* \* \*

11 (11) “Senator Jim Jeffords Welcome Center” shall be the name of the  
12 Welcome Center in Bennington.

13 (12) “Northeast Kingdom International Airport” shall be the name of the  
14 Newport State Airport in Coventry.

15 \* \* \* Property Transfer Tax Return; Exemption \* \* \*

16 Sec. 26. 32 V.S.A. § 9606(d) is amended to read:

17 (d) The property transfer tax return shall not be required of properties  
18 qualified for the exemption stated in subdivision 9603(17) of this title, or  
19 qualified for the exemption stated in subdivision 9603(2) of this title if the  
20 transfer is of an interest in property for highway purposes and the  
21 consideration for the transfer is \$10,000.00 or less. ~~A public utility~~ An entity



1 acquiring such properties shall notify the listers of a municipality of the  
2 grantors, grantees, consideration, date of execution, and location of the  
3 ~~easement~~ property when it files for recording a deed ~~transferring a utility line~~  
4 ~~easement~~ that does not require a transfer tax return under this subsection.

5 \* \* \* Tax on Gains from the Sale or Exchange of Land; Exemption \* \* \*

6 Sec. 27. 32 V.S.A. § 10002(q) is added to read:

7 (q) Also excluded from the definition of “land” is a transfer of property to  
8 the State of Vermont or a municipality for a project that is authorized under the  
9 State’s enacted Transportation Program or for an emergency project within the  
10 meaning of 19 V.S.A. § 10g(h), regardless of whether the State or the  
11 municipality has commenced any condemnation proceedings.

12 \* \* \* Effective Dates \* \* \*

13 Sec. 28. EFFECTIVE DATES

14 This act shall take effect on July 1, 2015, except that Sec. 21  
15 (Transportation Alternatives Grant Program; removal of set-aside) shall take  
16 effect on July 1, 2018.