

1 Introduced by Committee on Transportation [*Draft, not approved; includes*  
2 *options*]

3 Date:

4 Subject: Transportation; capital program

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

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

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

12 \* \* \* Transportation Program; Definitions \* \* \*

13 Sec. 1. TRANSPORTATION PROGRAM ADOPTED; DEFINITIONS

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

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

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

20 (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                                   \* \* \* Town Highway Structures \* \* \*

11           Sec. 2. TOWN HIGHWAY STRUCTURES

12           Spending authority for Town Highway Structures Program is amended  
13           to read:

| <u>FY16</u>             | <u>As Proposed</u> | <u>As Amended</u> | <u>Change</u> |
|-------------------------|--------------------|-------------------|---------------|
| Grants                  | 6,333,500          | 9,483,500         | 3,150,000     |
| Total                   | 6,333,500          | 9,483,500         | 3,150,000     |
| <u>Sources of funds</u> |                    |                   |               |
| State                   | 6,333,500          | 9,483,500         | 3,150,000     |
| Federal                 | 0                  | 0                 | 0             |

1           Total                   6,333,500                   9,483,500                   3,150,000

2           ***OPTION 1: Cuts of \$6.4 million in state \$ spending and \$12.8 in federal***

3           ***spending, TIB Floor that Generates No Net Revenue in FY16***

4                           \* \* \* Program Development – Funding \* \* \*

5           **Sec. 3. PROGRAM DEVELOPMENT – FUNDING**

6           (a) Spending authority in Program Development is modified in accordance  
7           with this section. Among projects selected in the Secretary’s discretion in  
8           accordance with subsection (b) of this section, the Secretary shall:

9                   (1) increase project spending authority in the total amount of  
10           \$3,400,000.00 in transportation funds;

11                   (2) reduce project spending authority in the total amount of  
12           \$6,600,000.00 in TIB funds;

13                   (3) reduce project spending authority in the total amount of  
14           \$12,800,000.00 in federal funds.

15           (b) In exercising his or her discretion to select projects on which spending  
16           will be reduced, the Secretary shall not delay a project that otherwise would  
17           proceed in fiscal year 2016, unless the full amount of the reduction required  
18           under subsection (a) of this section cannot be achieved from projects delayed  
19           from proceeding in fiscal year 2016 due to unforeseen circumstances. If a  
20           project that otherwise would have proceeded in fiscal year 2016 is delayed, the  
21           Secretary shall promptly notify:

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

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

5 \*\*\* Paving Program \*\*\*

6 Sec. 4. PROGRAM DEVELOPMENT – PAVING PROGRAM

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

| <u>FY16</u>  | <u>As Proposed</u> | <u>As Amended</u> | <u>Change</u> |
|--------------|--------------------|-------------------|---------------|
| PE           | 0                  | 0                 | 0             |
| Construction | 5,200,000          | 2,700,000         | -2,500,000    |
| Total        | 5,200,000          | 2,700,000         | -2,500,000    |

13 Sources of funds

|         |           |           |            |
|---------|-----------|-----------|------------|
| State   | 5,200,000 | 2,700,000 | -2,500,000 |
| TIB     | 0         | 0         | 0          |
| Federal | 0         | 0         | 0          |
| Total   | 5,200,000 | 2,700,000 | -2,500,000 |

18 \*\*\* Maintenance Program \*\*\*

19 Sec. 5. MAINTENANCE PROGRAM

20 (a) Total authorized spending in the Maintenance Program is amended as  
21 follows:

| <u>FY16</u>             | <u>As Proposed</u> | <u>As Amended</u> | <u>Change</u> |
|-------------------------|--------------------|-------------------|---------------|
| Personal services       | 43,784,445         | 43,784,445        | 0             |
| Operating expenses      | 43,890,139         | 43,190,139        | -700,000      |
| Grants                  | 95,000             | 95,000            | 0             |
| Total                   | 87,769,584         | 87,069,584        | -700,000      |
| <u>Sources of funds</u> |                    |                   |               |
| State                   | 83,169,447         | 82,469,447        | -700,000      |
| Federal                 | 4,500,137          | 4,500,137         | 0             |
| Interdep't transfer     | 100,000            | 100,000           | 0             |
| Total                   | 87,769,584         | 87,069,584        | -700,000      |

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

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

Sec. 6. 23 V.S.A. § 3106 is amended to read:

§ 3106. IMPOSITION, RATE, AND PAYMENT OF TAX

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

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

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

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

7 (I) \$0.0415; or

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

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

13 (I) \$0.134 per gallon; or

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

17 \* \* \*

1        ***OPTION 2: No Leveling Cuts; TIB Floor that Generates Net Revenue in***

2                                ***FY16 with Proceeds Directed to Better Backroads***

3                                **\*\*\* Program Development – Funding \*\*\***

4        **Sec. 3. PROGRAM DEVELOPMENT – FUNDING**

5                Spending authority in Program Development is modified in accordance with

6        this section. Among projects selected in the Secretary’s discretion, the

7        Secretary shall:

8                (1) reduce project spending authority in the total amount of \$718,521.00

9        in transportation funds; and

10                (2) increase project spending authority in the total amount of

11        \$718,521.00 in TIB funds.

12                                **\*\*\* Maintenance Program \*\*\***

13        **Sec. 4. MAINTENANCE PROGRAM**

14                (a) Total authorized spending in the Maintenance Program is amended

15        as follows:

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

| <u>Sources of funds</u> |                     |            |            |          |
|-------------------------|---------------------|------------|------------|----------|
| 2                       | State               | 83,169,447 | 82,469,447 | -700,000 |
| 3                       | Federal             | 4,500,137  | 4,500,137  | 0        |
| 4                       | Interdept. transfer | 100,000    | 100,000    | 0        |
| 5                       | Total               | 87,769,584 | 87,069,584 | -700,000 |

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

9 \* \* \* Municipal Mitigation and Better Back Roads Program \* \* \*

10 **Sec. 5. MUNICIPAL MITIGATION AND BETTER BACK ROADS**

11 **PROGRAM**

12 (a) Spending authority for the Municipal Mitigation and Better Back Roads  
13 Program is amended to read:

| 14 | <u>FY16</u> | <u>As Proposed</u> | <u>As Amended</u> | <u>Change</u> |
|----|-------------|--------------------|-------------------|---------------|
| 15 | Grants      | 650,000            | 2,268,521         | 1,618,521     |
| 16 | Total       | 650,000            | 2,268,521         | 1,618,521     |

17 Sources of funds

|    |                   |         |           |           |
|----|-------------------|---------|-----------|-----------|
| 18 | State             | 440,000 | 2,058,521 | 1,618,521 |
| 19 | Federal           | 180,000 | 180,000   | 0         |
| 20 | Interdept Tranfer | 30,000  | 30,000    | 0         |
| 21 | Total             | 650,000 | 2,268,521 | 1,618,521 |



1 (b) The increase in spending authority provided in subsection (a) of this  
2 section shall be used for Better Back Roads Program grants.

3 \* \* \* Motor Fuel Transportation Infrastructure Assessment \* \* \*

4 Sec. 6. 23 V.S.A. § 3106 is amended to read:

5 § 3106. IMPOSITION, RATE, AND PAYMENT OF TAX

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

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

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

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

17 (I) \$0.0672; or

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

1 (ii) a fuel tax assessment, which shall be used exclusively for  
2 transportation purposes and not be transferred from the Transportation Fund,  
3 that is the greater of:  
4 (I) \$0.134 per gallon; or  
5 (II) four percent of the tax-adjusted retail price or \$0.18 per  
6 gallon, whichever is less, upon each gallon of motor fuel sold by the  
7 distributor.

8 \* \* \*

9 \* \* \* Rest Areas \* \* \*

10 Sec. 7. REST AREAS PROGRAM; PROJECT CANCELLATION

11 Pursuant to 19 V.S.A. § 10g(h) (legislative approval for cancellation of  
12 projects), the General Assembly approves cancellation of the following Rest  
13 Areas Program project: Derby IM 091-3(8) (expansion of Derby I-91 rest  
14 area).

15 Sec. 8. REST AREAS PROGRAM; PROJECT ADDITION

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

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

Sec. 9. TRANSFER TO CENTRAL GARAGE FUND

Notwithstanding 19 V.S.A. § 13(c), in fiscal year 2016, the amount of \$1,120,000.00 is transferred from the Transportation Fund to the Central Garage Fund created in 19 V.S.A. § 13.

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

Sec. 10. TRANSPORTATION REVENUE STUDY COMMITTEE

(a) The General Assembly finds that policies implemented by the State of Vermont and the federal government in order to meet economic, environmental, and quality of life goals have and will continue to reduce motor vehicle fuel consumption and motor vehicle fuel tax revenues. These policies include fuel economy standards, alternative fuel vehicle programs, transportation demand management programs, and support for bicycle and pedestrian facilities and transit programs. Under the existing transportation revenue structure, the State faces a challenge and a trade-off between ensuring stable and sufficient revenues to maintain its transportation infrastructure while also promoting policies that reduce motor vehicle fuel consumption. To meet this challenge, the State must develop a sufficient and more stable revenue stream that allows the State to maintain its transportation infrastructure in good repair while also meeting economic, environmental, and quality of life goals.

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

6            (1) the Secretary of Transportation or designee, who shall serve as  
7        Chair;

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

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

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

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

12        Towns;

13          (6) one member designated by the Vermont Association of Planning and  
14        Development Agencies, Inc.;

15          (7) one member designated by the James M. Jeffords Center for Policy  
16        Research; and

17          (8) one member designated by the Vermont Public Transportation  
18        Association.

19        (c) The Committee shall:

20            (1) review and expand on the recommendations contained in the report  
21        on transportation funding required by 2012 Acts and Resolves No. 153,

1 Sec. 40, by focusing on the identification and analysis of alternative funding  
2 sources, other than motor vehicle fuel taxes, for the construction,  
3 rehabilitation, and maintenance of Vermont’s transportation infrastructure;

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

7 (3) review current state and federal transportation funding sources and  
8 policies; and

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

12 (d) The Secretary shall call the first meeting of the Committee by June 15,  
13 2015. The Committee shall deliver a written report of its findings, and of any  
14 options for proposed legislation, to the House and Senate Committees on  
15 Transportation on or before January 15, 2016. The Committee shall cease to  
16 exist on January 15, 2016.

17 (e) Upon the request of the Committee, the Agency may contract with  
18 consultants to provide expert assistance to the Committee. Any consultant fees  
19 shall be paid out of the Transportation – Policy and Planning  
20 appropriation. Upon request, the Committee shall receive administrative  
21 support from the Agency and assistance from the Joint Fiscal Office, the Office

1 of Legislative Council, and any unit of the Executive Branch the Committee  
2 deems appropriate.

3 (f) For attendance at a meeting when the General Assembly is not in  
4 session, legislative members of the Committee shall be entitled to  
5 compensation for services and reimbursement of expenses as provided under  
6 2 V.S.A. § 406(a). Other committee members who are not otherwise  
7 compensated or reimbursed by their employer shall be entitled to per diem  
8 compensation and reimbursement for expenses under 32 V.S.A. § 1010. Funds  
9 disbursed under this subsection shall be paid out of the Transportation – Policy  
10 and Planning appropriation.

11 \* \* \* Bus Service Study \* \* \*

12 Sec. 11. STUDY OF ALBANY TO BENNINGTON TO MANCHESTER  
13 BUS SERVICE

14 (a)(1) In consultation with Amtrak, the Agency shall study the expected  
15 benefits and costs to the State of Vermont, implementation steps, and timeline  
16 associated with Amtrak’s initiating and operating a bus service for Amtrak  
17 passengers from Amtrak’s Albany, New York train station (in Rensselaer,  
18 New York) to Manchester, Vermont via Bennington, Vermont.

19 (2) The Agency also shall study the expected benefits and costs to the  
20 State of Vermont, implementation steps, and timeline associated with the  
21 initiation and operation of an Albany to Bennington to Manchester bus service

1 that is available to the general public and provided by an entity other than  
2 Amtrak.

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

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

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

7 FEASIBILITY STUDY

8 (a) The General Assembly finds that:

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

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

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

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

18 (b) The Agency shall conduct a commuter rail feasibility study for the  
19 corridor between St. Albans, Essex Junction, and Montpelier, which shall also  
20 include a study of connecting service to Burlington. The purpose of the study  
21 is to determine the feasibility of implementing a commuter rail system within

1 the corridor, to estimate the time horizon to plan for and design the service, to  
2 estimate ridership potential, to estimate costs for operations and capital  
3 acquisition, and to identify any other general operational, capital, legal, and  
4 administrative requirements.

5 (c) In conducting the study, the Agency shall consult with the following  
6 entities: Chittenden County Transportation Authority, Green Mountain Transit  
7 Agency, New England Central Railroad, Vermont Rail System, the Vermont  
8 Rail Council, communities along the study corridor, and regional planning  
9 commissions, regional development corporations, and chambers of commerce  
10 that serve communities and businesses along the study corridor.

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

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

14 Sec. 13. REVIEW OF VERMONT ELDERS AND PERSONS WITH  
15 DISABILITIES TRANSPORTATION PROGRAM

16 (a) The General Assembly finds that:

17 (1) an analysis of the demand for transportation services for the  
18 Vermont Elders and Persons with Disabilities Transportation Program (E&D  
19 Program) has not been conducted in ten years;

20 (2) State policymakers should have accurate information concerning the  
21 funding gap that may exist between available funding for the E&D Program



1 and the current and anticipated need for transportation services for elders and  
2 persons with disabilities over the next 10 years; and

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

5 (b) The Agency shall review the E&D Program and analyze the gap  
6 between current and expected Program resources and Program needs over a  
7 10-year time frame. The Agency shall solicit the participation of the regional  
8 Elderly and Disabled Transportation Committees in conducting its review.

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

10 (1) the gap between current E&D Program resources and needs, on  
11 regional and statewide levels;

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

14 (3) challenges that exist for partner organizations to raise local matching  
15 funds;

16 (4) the impact of the Medicaid day services program waiver on the E&D  
17 Program; and

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

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



1 (a) The ~~agency~~ Agency is authorized to cooperate with the government of  
2 the United States in the acquisition, construction, improvement, maintenance,  
3 and operation of airports and other navigation facilities in this ~~state~~ State, and  
4 to comply with the provisions of the laws or regulations of the United States  
5 for the expenditure of federal ~~moneys~~ monies upon airports and other air  
6 navigation facilities.

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

11 (c) All ~~moneys~~ monies accepted for disbursement by the ~~agency~~ Agency  
12 pursuant to subsection (b) of this section shall be deposited in the ~~state treasury~~  
13 State Treasury and, unless otherwise prescribed by the authority from which  
14 the money is received, kept in separate funds, designated according to the  
15 purposes for which the ~~moneys~~ monies were made available, and held by the  
16 ~~state~~ State in trust for such purposes. ~~All moneys are hereby appropriated for~~  
17 ~~the purposes for which they were made available, to~~ monies shall be expended  
18 for the purposes for which they were made available and in accordance with  
19 federal laws and regulations and with this chapter. The ~~agency~~ Agency is  
20 authorized, whether acting for this ~~state~~ State or as the agent of any of its  
21 municipalities, or when requested by the ~~United States~~ U.S. government or any

1 agency or department of the ~~United States~~ U.S. government, to disburse such  
2 ~~moneys~~ monies for the designated purposes, but this shall not preclude any  
3 other authorized method of disbursement.

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

5 § 1502. COOPERATION WITH FEDERAL GOVERNMENT

6 (a) To effect the purposes of section 1501 of this title, the ~~agency~~ Agency  
7 may comply with federal rules and regulations, and may use so much of the  
8 funds appropriated to the Agency, or available to it pursuant to 32 V.S.A. § 5  
9 or 511, for highway purposes as shall be necessary to secure aid from the  
10 federal government under the federal act specified in section 1501; and in  
11 addition may use ~~further~~ such sums as may be necessary for surveys, plans,  
12 specifications, estimates, and assistance necessary to carry out the provisions  
13 of this chapter.

14 (b) To carry out the transportation planning process required by the  
15 Intermodal Surface Transportation Efficiency Act of 1991 (the Act), ~~Pub. L.~~  
16 ~~No. 102-240, § 1024, 105 Stat. 1914, 1955 (1991) (now codified at 23 U.S.C.~~  
17 ~~§ 134)~~, as may be amended, the ~~governor~~ Governor shall designate a  
18 metropolitan planning organization for any urbanized area of more than 50,000  
19 population and may take other action necessary to ensure the ~~state's~~ State's  
20 compliance with the ~~federal act~~ Act and any federal regulations pertaining to

1 the ~~act~~ Act. A designation of a metropolitan planning organization shall  
2 remain in effect until revoked by the ~~governor~~ Governor.

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

4 CHAPTER 1. STATE HIGHWAY LAW; GENERAL TRANSPORTATION

5 PROVISIONS

6 \* \* \*

7 § 7. SECRETARY; POWERS AND DUTIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (5) create advisory councils or committees as he or she deems necessary  
21 within the Agency, and appoint the members for a term not exceeding his or

1 hers. Councils or committees created pursuant to this subdivision may include  
2 persons who are not officers or employees of the Agency;

3 (6) provide training and instruction for ~~any~~ employees of the Agency at  
4 the expense of the Agency, and provide training and instruction for employees  
5 of Vermont municipalities. Where appropriate, the Secretary may provide  
6 training and instruction for municipal employees at the expense of the Agency;

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

10 (8) [Deleted.]

11 \* \* \*

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

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

14 § 1974. EXEMPTIONS

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

17 \* \* \*

18 (7) the subdivision of an unimproved or improved lot or campground  
19 where the subdivision results from a transfer of property for a highway or other  
20 transportation project that is authorized under the State's enacted  
21 Transportation Program or is an emergency project within the meaning of 19

1 V.S.A. § 10g(h), regardless of whether the State or the municipality has  
2 commenced any condemnation proceedings in connection with the project.

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

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

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

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

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

11 § 38. TRANSPORTATION ALTERNATIVES GRANT PROGRAM

12 \* \* \*

13 (f)(1) Each year, \$200,000.00 of ~~the~~ Grant Program funds, or such lesser  
14 sum if all eligible applications amount to less than \$200,000.00, shall be  
15 reserved for municipalities for eligible salt and sand shed projects. ~~Grant~~  
16 ~~awards for eligible projects shall not exceed \$50,000.00 per project.~~

17 (2) Each year, \$1,100,000.00 of Grant Program funds, or such lesser  
18 sum if all eligible applications amount to less than \$1,100,000.00, shall be  
19 reserved for municipalities for environmental mitigation projects relating to  
20 stormwater and highways.



1           (3) Regarding the balance of Grant Program funds, in evaluating  
2 applications for Transportation Alternatives grants, the Transportation  
3 Alternatives Grant Committee shall give preferential weighting to projects  
4 involving as a primary feature a bicycle or pedestrian facility. The degree of  
5 preferential weighting and the circumstantial factors sufficient to overcome the  
6 weighting shall be in the complete discretion of the Transportation Alternatives  
7 Grant Committee.

8   \* \* \*

9           Sec. 21. 19 V.S.A. § 306(i) is amended to read:

10           (i) ~~{Deleted.}~~ A Town Highway Clean Water Program is created in the  
11 Agency. Under the Program, the Agency shall assist municipalities in  
12 preparing to implement future stormwater management requirements in  
13 connection with town highways.

14           Sec. 22. TOWN HIGHWAY CLEAN WATER PROGRAM

15           The Agency shall examine existing Agency programs and activities that  
16 relate to or provide resources for stormwater management in connection with  
17 town highways. On or before January 15, 2016, the Agency shall submit  
18 recommendations to the House and Senate Committees on Transportation on  
19 whether and how these programs and activities should be incorporated into or  
20 support the Town Highway Clean Water Program established in 19 V.S.A.  
21 § 306(i).

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\*\*\* Bennington Welcome Center; Naming \*\*\*

Sec. 23. 29 V.S.A. § 821(a) is amended to read:

(a) State buildings.

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

\*\*\*

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

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

Sec. 24. 32 V.S.A. § 9606(d) is amended to read:

(d) The property transfer tax return shall not be required of properties qualified for the exemption stated in subdivision 9603(17) of this title, or qualified for the exemption stated in subdivision 9603(2) of this title if the transfer is of an interest in property for highway purposes and the consideration for the transfer is \$10,000.00 or less. ~~A public utility~~ An entity acquiring such properties shall notify the listers of a municipality of the grantors, grantees, consideration, date of execution, and location of the ~~easement~~ property when it files for recording a deed ~~transferring a utility line easement~~ that does not require a transfer tax return under this subsection.

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

2           Sec. 25. 32 V.S.A. § 10002(q) is added to read:

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

8   \* \* \* Effective Date \* \* \*

9           Sec. 26. EFFECTIVE DATE

10           This act shall take effect on July 1, 2015.