

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Appropriations to which was referred House Bill No.
3 917 entitled “An act relating to the Transportation Program and miscellaneous
4 changes to transportation-related law” respectfully reports that it has
5 considered the same and recommends that the bill be amended by adding a
6 new section after Sec. 5 to be Sec. 5a and a reader assistance thereto to read as
7 follows:

8 * * * Maintenance Program and District Leveling * * *

9 Sec. 5a. MAINTENANCE PROGRAM AND DISTRICT LEVELING;

10 SPENDING AUTHORITY

11 (a) As used in this section, “TDI” refers to Champlain VT, LLC d/b/a TDI
12 New England and “TDI Agreement” refers to the lease option agreement
13 entered into between TDI and the State on July 17, 2015.

14 (b) Authorized spending in fiscal year 2019 for the Statewide District
15 Leveling activity in the Program Development—Paving Program is reduced by
16 \$2,400,000.00 in transportation funds and increased by \$2,400,00.00 in federal
17 funds.

18 (c) Authorized spending in fiscal year 2019 for operating expenses in the
19 Maintenance Program is reduced by \$1,600,000.00 in transportation funds.

20 (d) If TDI makes a payment to the State in fiscal year 2018 or 2019
21 pursuant to the TDI Agreement or pursuant to a renegotiation of the TDI

1 Agreement, the Secretary shall allocate the amount of the payment received to
2 the Statewide District Leveling activity or to the Maintenance Program, or to
3 both, and authorized spending of transportation funds in fiscal year 2019 for
4 the Statewide District Leveling activity and for the Maintenance Program is
5 increased in accordance with the allocation made.

6 (e) If TDI makes no payment to the State in fiscal year 2018 or 2019
7 pursuant to the TDI Agreement or a renegotiation thereof or if a payment made
8 by TDI is insufficient to restore the reduction in spending authority made in
9 subsections (b) and (c) of this section, the Secretary shall allocate any
10 unreserved surplus in the Transportation Fund as of the end of fiscal year 2018
11 to the Statewide District Leveling activity or to the Maintenance Program, or to
12 both, and authorized spending of transportation funds in fiscal year 2019 for
13 the Statewide District Leveling activity and for the Maintenance Program is
14 increased in accordance with the allocation made.

15 (f)(1) Subject to subdivision (2) of this subsection, and notwithstanding
16 32 V.S.A. § 706, if the contingent allocations directed in subsections (d) and
17 (e) of this section do not occur or are insufficient to restore the reduction in
18 spending authority made in subsections (b) and (c) of this section, the
19 Secretary of Administration, after consulting with the Secretary of
20 Transportation, is authorized to transfer balances of fiscal year 2019
21 Transportation Fund appropriations within the Agency to the extent required to

1 restore the reduction in spending authority made in subsections (b) and (c) of
2 this section, and authorized spending of transportation funds in fiscal year
3 2019 for the Statewide District Leveling activity and for the Maintenance
4 Program is increased in accordance with the balances transferred.

5 (2) An appropriation may be transferred pursuant to subdivision (1) of
6 this subsection only if the monies are not needed for a project:

7 (A) because the project has been delayed due to permitting, right-of-
8 way, or other unforeseen issues; or

9 (B) because of cost savings generated by the project.

10 (3) In making any appropriation transfer authorized under this section,
11 the Secretary of Administration shall avoid, to the extent possible, any
12 reductions in appropriations to the town programs described in 19 V.S.A.
13 § 306. Any reductions to these town programs shall not affect the timing of
14 reimbursements to towns for projects or delay any projects or grants and shall
15 be replaced in the affected appropriations in fiscal year 2020.

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18 (Committee vote: _____)

19 _____
20 Representative _____

21 FOR THE COMMITTEE