

1 **REP. McCARTHY'S PROPOSED CHANGES HIGHLIGHTED IN YELLOW**

2 **REP. McCORMACK'S PROPOSED CHANGES HIGHLIGHTED IN GREEN**

3 \* \* \* Federal Funding \* \* \*

4 Sec. 1a. FEDERAL INFRASTRUCTURE FUNDING

5 (a) If federal COVID-19 legislation is enacted, the Secretary is authorized

6 to:

7 (1) exceed federal spending authority in the fiscal year 2020

8 Transportation Program and fiscal year 2021 Transportation Program and to

9 obligate and expend the federal monies on the following, with a priority placed

10 on projects, such as the purchase of PEV buses for public transit, the

11 construction of bicycle and pedestrian facilities, including the maintenance and

12 improvement of paved shoulders consistent with 19 V.S.A. § 2310, and EVSE.

13 that will directly contribute to the reduction of greenhouse gas emissions

14 consistent with the State's 2016 Comprehensive Energy Plan and projects that

15 will keep Vermonters employed, promote economic activity, and allow the

16 State and municipalities to catch up on deferred maintenance:

17 (A) eligible projects in the fiscal year 2020 Transportation Program

18 and fiscal year 2021 Transportation Program;

19 (B) additional town highway projects;

20 (C) activities that meet federal eligibility and readiness criteria; and

1           (D) modifications to all planned and additional paving projects to  
2 include the addition of paved shoulders or improvement to existing paved  
3 shoulders;

4           (2) notwithstanding any provision of Title 19 of the Vermont Statutes  
5 Annotated to the contrary, waive any Title 19 match requirements for projects  
6 funded under federal COVID-19 legislation; and

7           (3) require that municipalities meet nonfederal match requirements for  
8 projects not authorized in the fiscal year 2020 Transportation Program or fiscal  
9 year 2021 Transportation Program funded under federal COVID-19 legislation.

10          (b) The Agency shall promptly report the obligation or expenditure of  
11 monies under the authority of subsection (a) of this section in writing to the  
12 House and Senate Committees on Transportation and to the Joint Fiscal Office  
13 while the General Assembly is in session, and to the Joint Fiscal Office, the  
14 Joint Fiscal Committee, and the Joint Transportation Oversight Committee  
15 when the General Assembly is not in session.

16          (c) Nothing in this section shall be construed to authorize the Secretary to  
17 obligate or expend State Transportation Funds, General Funds, or TIB funds  
18 above amounts authorized in the fiscal year 2020 Transportation Program or  
19 fiscal year 2021 Transportation Program.

1        (d) Subsections (a) and (b) of this section shall continue in effect until  
2        February 1, 2021.

3                                \* \* \* Additional Agency Spending; Redirection \* \* \*

4        Sec. 1b. AGENCY SPENDING; AUTHORITY TO REDIRECT; REPORT

5                (a) Notwithstanding Sec. 1 of this act, 2019 Acts and Resolves No. 59,  
6        Sec. 1, 19 V.S.A. §§ 10g(n) and 11f(d), and 32 V.S.A. § 706, the Secretary is  
7        authorized to utilize appropriated TIB funds, after the transfer required  
8        pursuant to 19 V.S.A. § 11f(c) for fiscal years 2020 and 2021; State monies;  
9        and federal monies for any of the following activities that will keep  
10        Vermonters employed, promote economic activity, and allow the State and  
11        municipalities to catch up on deferred maintenance in fiscal years 2020  
12        and 2021, provided that the Agency expects to accept and obligate federal  
13        monies pursuant to subsection 1a(a) of this act in an amount sufficient to cover  
14        the additional expenditures:

- 15                (1) bridge maintenance;  
16                (2) paving and surface maintenance, including the maintenance and  
17        improvement of paved shoulders consistent with 19 V.S.A. § 2310;  
18                (3) clearing of trees and brush in rights-of-way;  
19                (4) ledge and slope remediation;  
20                (5) culvert repair and replacement; and

1           (6) any other maintenance activities that are expected to provide an  
2           economic stimulus in Vermont communities.

3           (b) Notwithstanding Sec. 1 of this act, 2019 Acts and Resolves No. 59,  
4           Sec. 1, 19 V.S.A. §§ 10g(n) and 11f(d), and 32 V.S.A. § 706, the Secretary is  
5           authorized to utilize appropriated TIB funds, after the transfer required  
6           pursuant to 19 V.S.A. § 11f(c) for fiscal years 2020 and 2021; State monies;  
7           and federal monies for any of the following greenhouse gas emissions  
8           reduction efforts in fiscal years 2020 and 2021, provided that the Agency  
9           expects to accept and obligate federal monies pursuant to subsection 1a(a) of  
10           this act in an amount sufficient to cover the additional expenditures:

11           (1) funding for a grant program for the installation of EVSE that builds  
12           upon the existing VW EVSE Grant Program that the Department of Housing  
13           and Community Development has been administering on behalf of the  
14           Department of Environmental Conservation;

15           (2) PEV buses for public transit;

16           (3) PEVs for the State motor vehicle fleet;

17           (4) funding, not to exceed \$1,000,000.00, for the New PEV Incentive  
18           Program created pursuant to 2019 Acts and Resolves No. 59, Sec. 34 as  
19           amended by the act, and

1           (5) the maintenance and improvement of paved shoulders consistent  
2 with 19 V.S.A. § 2310.

3           (c) If the expenditure of monies pursuant to subsection (a) or (b) of this  
4 section will not significantly delay the planned work schedule of a project in  
5 the fiscal year 2020 and 2021 Transportation Programs, the Secretary may  
6 enter into a contract for the activity or proceed with the expenditure and shall  
7 give prompt notice of the contract or expenditure to the Joint Fiscal Office and  
8 to the House and Senate Committees on Transportation when the General  
9 Assembly is in session and to the Joint Fiscal Office and the Joint  
10 Transportation Oversight Committee when the General Assembly is not in  
11 session.

12           (d) If the expenditure of monies pursuant to subsection (a) or (b) of this  
13 section will significantly delay the planned work schedule of a project, the  
14 Secretary may enter into a contract for the activity or proceed with the  
15 expenditure but shall give advance notice of at least 10 business days prior to  
16 executing the contract or making the expenditure to the House and Senate  
17 Committees on Transportation when the General Assembly is in session and to  
18 the Joint Fiscal Office, Joint Fiscal Committee, and Joint Transportation  
19 Oversight Committee when the General Assembly is not in session.

1       (e) The Secretary of Administration shall, on or before July 31, 2020, file a  
2       written report listing all expenditures made during fiscal year 2020 under the  
3       authority of subsections (a) and (b) of this section to the House and Senate  
4       Committees on Transportation, Joint Fiscal Office, Joint Fiscal Committee,  
5       and Joint Transportation Oversight Committee.

6       (f) The Secretary of Administration shall, on or before July 31, 2021, file a  
7       written report listing all expenditures made during fiscal year 2021 under the  
8       authority of subsections (a) and (b) of this section to the House and Senate  
9       Committees on Transportation, Joint Fiscal Office, Joint Fiscal Committee,  
10       and Joint Transportation Oversight Committee.

11       (g) The reports required pursuant to subsections (e) and (f) of this section  
12       shall be in addition to the report required pursuant to 19 V.S.A. § 10g(e).

13       \*\*\* Alternatives to Portland Cement \*\*\*

14       **Sec. XX. ALTERNATIVES TO PORTLAND CEMENT**

15       **(a) Findings. The General Assembly finds that:**

16               **(1) The addition of pozzolans, such as pulverized fuel ash (commonly**  
17       **known as “fly ash”), ground granulated blast-furnace slag, and silica fume can**  
18       **be used to partially replace a portion of the Portland Cement used in the**  
19       **production of concrete.**

1           (2) Using pozzolans in the production of concrete for transportation  
2 infrastructure projects can typically reduce the use of Portland Cement by 40 to  
3 50 percent.

4           (3) Using pozzolans in a concrete mix design can:

5           (A) reduce the carbon dioxide emissions associated with a  
6 transportation infrastructure project, such as bridges and sidewalks;

7           (B) increase the compressive strength and durability of concrete; and

8           (C) decrease construction costs.

9           (4) Pozzolans cannot be used as a complete substitute for Portland  
10 Cement in a concrete mix design because they enhance and not replace the  
11 cementitious properties of Portland Cement as it hydrates as part of the overall  
12 chemical reaction that binds and strengthens the concrete.

13           (b) Use of Portland Cement. The Agency is encouraged to continue  
14 researching, testing and, wherever practicable, using pozzolans and alternatives  
15 to Portland Cement as part of the concrete mix designs for all transportation  
16 infrastructure projects.