

H.736

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

The Senate concurs in the House proposal of amendment to the Senate proposal of amendment with the following proposals of amendment thereto:

First: In Sec. 2, fiscal year 2023 transportation investments, by striking out subdivision (8)(D) in its entirety and inserting in lieu thereof a new subdivision (8)(D) to read as follows:

(D) eBike Incentives. Sec. 5(d) of this act authorizes \$50,000.00 for eBike incentives and capped administrative costs.

Second: In Sec. 5, vehicle incentive programs, by striking out subsection (d) in its entirety and inserting in lieu thereof a new subsection (d) to read as follows:

(d) eBike Incentives. The Agency is authorized to spend up to \$50,000.00 as appropriated in the fiscal year 2023 budget on an eBike incentive program.

Third: By striking out Sec. 17, Burlington International Airport Working Group; report, and its corresponding reader assistance heading in their entireties and inserting in lieu thereof the following:

* * * Burlington International Airport Working Group; Report * * *

Sec. 17. BURLINGTON INTERNATIONAL AIRPORT WORKING
GROUP; REPORT

(a) Project addition. The following project is added to the Agency of Transportation's Proposed Fiscal Year 2023 Transportation Program for Aviation: Burlington International Airport Study.

(b) Authorization.

(1) Spending authority for the Burlington International Airport Study is authorized as follows:

<u>FY23</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	0	150,000	150,000
Total	0	150,000	150,000
<u>Sources of funds</u>			
State	0	15,000	15,000
Federal	0	135,000	135,000
Total	0	150,000	150,000

(2) Spending authority for Statewide (Aviation Operations & Maintenance) is amended as follows:

<u>FY23</u>	<u>As Proposed</u>	<u>As Amended</u>	<u>Change</u>
Other	1,216,303	1,201,303	-15,000
Total	1,216,303	1,201,303	-15,000
<u>Sources of funds</u>			
State	1,216,303	1,201,303	-15,000
Total	1,216,303	1,201,303	-15,000

(3) The City of Burlington, which is the sponsor of the Burlington International Airport, and the Agency of Transportation shall work together to secure a grant from the Federal Aviation Administration to cover the \$135,000.00 in federal monies authorized for expenditure under subdivision (1) of this subsection for the Burlington International Airport Study.

(c) Creation. There is created the Burlington International Airport Working Group (Working Group) to examine the existing governance structure and alternatives to the existing governance structure of the Burlington International Airport (Airport) and to report the Working Group's findings and recommendations.

(d) Membership. The Working Group shall be composed of the following seven voting members and three nonvoting members:

(1) one voting member designated by the mayor of the City of Burlington;

(2) one voting member designated by the city council of the City of Burlington;

(3) one voting member designated by the city council of the City of South Burlington;

(4) one voting member designated by the mayor of the City of Winooski;

(5) one voting member designated by the city council of the City of Burlington, in consultation with the mayor of the City of Burlington, to represent individuals, such as Black, Indigenous, and Persons of Color (BIPOC), immigrants, individuals with low income, and individuals residing in “disadvantaged communities” as defined in federal Executive Order 14008, “Tackling the Climate Crisis at Home and Abroad,” adversely affected by the Airport;

(6) one voting member designated by the city council of the City of South Burlington to represent the general aviation organizations at the Airport;

(7) the Secretary of Transportation or designee, who shall be a nonvoting member;

(8) one voting member designated by the President and CEO of the Lake Champlain Regional Chamber of Commerce;

(9) the current, including acting or interim, Director of Aviation for the

Airport or designee, who shall be a nonvoting member of the Working Group;

and

(10) the Director of the Chittenden County Regional Planning

Commission or designee, who shall be a nonvoting member of the Working

Group.

(e) Assistance; consultant.

(1) The Working Group shall have the administrative, technical, and legal assistance of the Agency of Transportation, which shall contract with an independent third-party consultant with expertise in airport governance and may contract with an additional person to serve as a neutral facilitator for the Working Group if such assistance cannot be provided by an employee or employees of the Agency of Transportation.

(2) The Agency of Transportation shall work with the Working Group to prepare a request for information and a request for proposal for the retention of the independent third-party consultant that is contracted with pursuant to subdivision (1) of this subsection.

(f) Powers and duties. The Working Group, with the assistance of the consultant retained as required under subsection (e) of this section, shall:

(1) review prior reports and recommendations prepared on the governance structure of the Airport, including the January 1, 2020

memorandum from Eileen Blackwood, Burlington City Attorney to Mayor Miro Weinberger and the City Council regarding Burlington International Airport and Regional Governance Questions; the June 10, 2013 Burlington International Airport, Airport Strategic Planning Committee Recommendations (Airport Strategic Planning Committee Recommendations); and the December 1985 Final Report of the Burlington Airport Study Group;

(2) discuss current issues of regional concern regarding the Airport, explore opportunities for regional collaboration regarding the Airport, and analyze what actions, including but not limited to a change in the governance structure, could address any issues of regional concern regarding the Airport;

(3) examine the advantages and disadvantages of each of the options identified in the Airport Strategic Planning Committee Recommendations;

(4) examine the advantages and disadvantages of any additional governance structure options for the Airport recommended by the consultant or identified by a majority of the voting members of the Working Group as warranting study;

(5) identify any other issue relating to the governance of the Airport that a majority of the voting members of the Working Group determine warrants study; and

(6) make recommendations on the governance structure of the Airport or

opportunities for regional collaboration regarding the Airport, or both, as supported by a majority of the voting members of the Working Group.

(g) Reports; recommendations.

(1) The Chair of the Working Group shall provide an oral report outlining the Working Group's progress, including a summary of the membership of the Working Group, the process of retaining the required consultant, and anything else the Chair thinks will have bearing on the final report and recommendations, to the House and Senate Committees on Transportation in February 2023.

(2) On or before January 15, 2024, the Working Group shall submit a written report to the General Assembly with its findings and recommendations. Any recommendations from the Working Group shall address how to ensure that there are not negative financial impacts on the City of Burlington.

(h) Meetings.

(1) The Secretary of Transportation or designee shall call the first meeting of the Working Group to occur on or before September 30, 2022.

(2) The Working Group shall select a chair from among its voting members at the first meeting.

(3) A majority of the voting membership of the Working Group shall constitute a quorum.

(4) The Working Group shall cease to exist on January 16, 2024.

(i) Compensation and reimbursement. Members of the Working Group who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than six meetings.

Fourth: In Sec. 21, 2021 Acts and Resolves No. 55, Sec. 2(8)(D) and (E), in subdivision (E), by striking out “\$200.00” and inserting in lieu thereof ~~\$200.00~~

Fifth: By striking out Sec. 23, 2021 Acts and Resolves No. 55, Sec. 28(b), in its entirety and inserting in lieu thereof a new Sec. 23 to read as follows:

Sec. 23. 2021 Acts and Resolves No. 55, Sec. 28 is amended to read:

Sec. 28. ELECTRIC BICYCLE INCENTIVES

(a) Implementation. The Agency of Transportation, ~~in consultation with Vermont electric distribution utilities,~~ shall expand upon the vehicle incentive programs established under 2019 Acts and Resolves No. 59, Sec. 34, as amended, to provide a ~~\$200.00 incentive to 250~~ incentives to individuals who purchase a new electric bicycle. Specifically, the Program shall:

(1) distribute ~~\$200.00~~ incentives on a first-come, first-served basis after the Agency announces that incentives are available;

* * *

(b) Authorization.

(1) In fiscal year 2022, the Agency is authorized to spend up to \$50,000.00 in one-time Transportation Fund monies on the electric bicycle incentives and up to \$5,000.00 on the costs associated with developing and administering the electric bicycle incentives.

(2) If less than \$5,000.00 is expended on administrative costs associated with developing and administering the electric bicycle incentives under subdivision (1) of this subsection, then the balance of that \$5,000.00 shall only be authorized for startup costs, outreach education, and costs associated with developing and administering the Replace Your Ride Program in addition to the authorization in Sec. 27(d) of this act.