

SENT ON BEHALF OF REPRESENTATIVE DIANE LANPHER

Dear Rep. Hooper:

This will serve as the House Committee on Transportation's response to the Governor's Recommended Fiscal Year 2021 Budget Adjustment as it relates to transportation matters. For ease of reference, we will refer to each of the transportation line items in the [Governor's Recommended FY 2021 Budget Adjustment - Worksheet](#), as posted to the Joint Fiscal Office's webpage on January 14, 2021, and address two additional items that the Committee is proposing for inclusion in the Budget Adjustment Act.

B.901 (Aviation) (-\$26,240 Transportation Fund monies)

We support this recommendation. It is a technical correction that brings the appropriation for the aviation program in balance with the authorizations in 2020 Acts and Resolves No. 121 (Transportation Bill).

B.903 (Program Development) (+\$1,600,000 federal monies)

We support this recommendation, which appropriates \$1,600,000.00 in federal monies for paving and leveling and is consistent with the General Assembly's top-priority if additional federal funding became available, as is now expected through the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260. See 2020 Acts and Resolves No. 121, Sec. 3, as amended by 2020 Acts and Resolves No. 154, Sec. G.102.

B.907 (Rail) (-\$3,350,000 Transportation Fund monies; -\$3,200,000 federal monies)

We support this recommendation, which reflects estimated savings to the State through the close of fiscal year 2021 due to the suspension of Amtrak service in Vermont.

Legislative Counsel has made some non-substantive changes to the language proposed by the Agency of Transportation and we respectfully request that the following be included in the Budget Adjustment Act:

Sec. XX. 2020 Acts and Resolves No. 121, Sec. 4(b), as added by 2020 Acts and Resolves No. 154, Sec. G.103, is amended to read:

(b) Within the Agency of Transportation's Proposed Fiscal Year 2021 Transportation Program for Rail, authorized spending for Statewide – Amtrak Contract is reduced by ~~\$750,000.00~~ \$4,100,000.00 in Transportation Fund monies and \$3,200,000.00 in federal fund monies.

B.910 (DMV) (+\$750,000 Transportation Fund monies; +138,000 General Fund monies)

We support the recommendation that the appropriation to the Department of Motor Vehicles be increased by \$750,000.00 in Transportation Fund monies to cover expenses related to COVID-

19. According to the Agency of Transportation, these costs include: overtime; telephone answering services to facilitate the scheduling of appointments for in-person services; cleaning costs; temporary employees; increased bank charges due to conducting more business through the internet; mailing and shipping costs; and personal protective equipment.

We hope and expect that if federal Coronavirus Relief Fund (CRF) monies become available or additional federal monies are made available to the State to cover expenses related to COVID-19 that \$750,000.00 of those federal monies will be put towards these additional expenses that the Department of Motor Vehicles will incur during the balance of fiscal year 2021. We would like to see language in the Budget Adjustment Act expressing the General Assembly's intent along the lines of the following:

It is the intent of the General Assembly that to the extent federal Coronavirus Relief Fund (CRF) monies become available or additional federal monies are made available to the State to cover expenses related to COVID-19 that the Agency of Transportation will request \$750,000.00 in federal monies be appropriated to the Agency of Transportation to cover expenses incurred by the Department of Motor Vehicles necessitated by COVID-19 in fiscal year 2021.

We support law enforcement officers within the Department of Motor Vehicles wearing body cameras, and the associated cost of \$138,000.00, when there is a body camera policy that covers law enforcement officers within the Department of Motor Vehicles. Such a policy is not yet in place and we do not support the deployment of body cameras on law enforcement officers within the Department of Motor Vehicles until an applicable policy is implemented.

B.919 (Municipal Mitigation Assistance Program) (+\$650,715 Clean Water Fund monies)

We support this recommendation, which will revert monies to the Clean Water Fund so that they can be added to the Agency of Transportation's Municipal Mitigation Assistance Program in accordance with the Agency of Transportation now managing the Municipal Roads Grants in Aid Program that was previously managed by the Agency of Natural Resources.

We support the language proposed by the Agency of Transportation but, after consulting with Legislative Counsel and the Joint Fiscal Office, suggest that the language proposed by the Agency of Transportation be added as a new subsection (f) to 2020 Acts and Resolves No. 154, Sec. D.101 to read as follows:

(f) Notwithstanding any provision of law to the contrary, in fiscal year 2021 the following amount shall revert to the Clean Water Fund from the account indicated:

<u>6140040000</u>	<u>Environmental Conservation – Office of Waters Programs</u>	<u>\$650,715</u>
-------------------	---	------------------

Additional Recommendations

TIB Fund Transfer (\$200,000): The Agency of Transportation, in response to the January 2021 Economic Review and Revenue Forecast Update, is now recommending that \$200,000.00 be transferred from the Transportation Fund to the Transportation Infrastructure Bond (TIB) Fund

to balance the TIB Fund for fiscal year 2021. We support this recommendation and the language proposed by the Agency of Transportation but, after consulting with Legislative Counsel and the Joint Fiscal Office, suggest that the language transferring \$200,000.00 from the Transportation Fund to the TIB Fund should be added as a new subsection (g) to 2020 Acts and Resolves No. 154, Sec. D.101 to read as follows:

(g) Notwithstanding any provision of law to the contrary, in fiscal year 2021 the following amount shall be transferred from the Transportation Fund to the account indicated:

<u>20191</u>	<u>Transportation Infrastructure Bond Fund</u>	<u>\$200,000</u>
--------------	--	------------------

MileageSmart (no fiscal impact): We respectfully request that the following be added to the Budget Adjustment Act:

Sec. XX. 2019 Acts and Resolves No. 59, Sec. 34, as amended by 2020 Acts and Resolves No. 121, Sec. 14, and 2020 Acts and Resolves No. 154, Sec. G.112, is further amended to read:

Sec. 34. VEHICLE INCENTIVE AND EMISSIONS REPAIR PROGRAMS

(a) Vehicle incentive and emissions repair programs administration.

* * *

(3) Subject to State procurement requirements, the Agency may retain a contractor or contractors to assist with marketing, program development, and administration of the programs. Up to \$150,000.00 of program funding may be set aside for this purpose for the programs described in subsection (c) of this section in fiscal year 2020 and \$50,000.00 of program funding shall be set aside for this purpose for the programs described in ~~subsection~~ subdivision (c)(1) of this section in fiscal year 2021 ~~and to ensure that the emissions repair program is operational not later than July 1, 2021.~~

* * *

(c) High fuel efficiency vehicle incentive and emissions repair programs. Used high fuel efficiency vehicle purchase incentive and emissions repair programs for Vermont residents shall structure high fuel efficiency purchase incentive payments and emissions repair vouchers by income to help Vermonters benefit from more efficient driving, including Vermont's most vulnerable. Not less than \$750,000.00 shall be provided in point-of-sale and point-of repair vouchers.

* * *

(2) The emissions repair program, ~~which shall be operational on or before July 1, 2021,~~ shall:

* * *

This language will amend language implementing the State's vehicle incentive programs with respect to administrative costs associated with the MileageSmart and emissions repair voucher

programs. This change does not require an additional appropriation. This language also eliminates the requirement that the emissions repair voucher program be operational not later than July 1, 2021. We expect to work closely with the Agency of Transportation and the Department of Environmental Conservation this session to address how and when this program can be made available to Vermonters who are struggling to make repairs to their vehicles that fail the emissions component of the annual vehicle inspection.

All members of the House Committee on Transportation appreciate being asked to provide a response to the Governor's Recommended Fiscal Year 2021 Budget Adjustment and are available to answer any questions. The Committee took a vote on this letter and the vote was 10-0-1.

Sincerely,

Representative Diane Lanpher
Chair, House Committee on Transportation