

1 S.109

2 Representative Emmons of Springfield moves that the proposal of
3 amendment of the Committee on Judiciary be further amended by adding a
4 new Sec. 34a to read as follows:

5 Sec. 34a. 4 V.S.A. § 39 is amended to read:

6 § 39. CAPITAL BUDGET REQUESTS; COUNTY COURTHOUSES

7 (a) On or before October 1 each year, any county requesting capital funds
8 for its courthouse, or court operations, shall submit a request to the Court
9 Administrator.

10 (b) The Court Administrator shall evaluate requests based on the following
11 criteria:

12 (1) whether the funding request is consistent with the county's capital
13 plan;

14 (2) the status of the county's capital reserve fund, and whether the
15 county has made sufficient annual contributions to the fund;

16 ~~(1)~~(3) whether the funding request relates to an emergency that will
17 affect the court operations and the administration of justice;

18 ~~(2)~~(4) whether there is a State-owned courthouse in the county that
19 could absorb court activities in lieu of this capital investment;

20 ~~(3)~~(5) whether the county consistently has invested in major
21 maintenance in the courthouse;

- 1 ~~(4)~~(6) whether the request relates to a State-mandated function;
- 2 ~~(5)~~(7) whether the request diverts resources of other current Judiciary
- 3 capital priorities;
- 4 ~~(6)~~(8) whether the request is consistent with the long-term capital needs
- 5 of the Judiciary, including providing court services adapted to modern needs
- 6 and requirements; and
- 7 ~~(7)~~(9) any other criteria as deemed appropriate by the Court
- 8 Administrator.

9 (c) Based on the criteria described in subsection (b) of this section, the

10 Court Administrator shall make a recommendation to the Commissioner of

11 Buildings and General Services regarding whether the county’s request should

12 be included as part of the Judiciary’s request for capital funding in the

13 Governor’s annual proposed capital budget request.

14 (d) On or before January 15 of each year, the Court Administrator shall

15 advise the House Committee on Corrections and Institutions and the Senate

16 Committee on Institutions of all county requests received and the Court

17 Administrator’s recommendations for the proposed capital budget request.