

Proposed Amendments to H.657, Draft 1.3

On page 9, strike lines 16-17 and insert “used” after line 15.

Subsection (d)(4) of 32 VSA 3602b would read as follows with the suggested amendment:

(4) The valuations provided to the listers pursuant to this section shall be used for the purposes of local taxation.

Rationale: the proposed bill moves the valuation of communications property to PVR. Municipalities should be required to use the PVR values to avoid duplication of effort and disputes over valuations.

On page 10, line 10, strike “~~3602b~~” and insert after the word “title” “or any communications property taxable under 3602b of this title”

The last sentence of subsection (1) of 32 VSA 3618(c) would read as follows with the suggested amendment:

“Business personal property” does not include inventory, or goods and chattels so affixed to real property as to have become part thereof, and that are therefore not severable or removable without material injury to the real property, nor does it include poles, lines, and fixtures that are taxable under sections 3620 and 3659 of this title or any communications property taxable under section 3602b of this title.

Rationale: the definition of communications property under 3602b is broader than just “poles, lines, and fixtures.” The intent of adding the exclusion of 3602b property from the definition of business personal property is to prevent the double taxation of such property under both the local option business personal property tax and the communications property tax. By limiting the exclusion to just poles, lines, and fixtures, it potentially could allow double taxation of other types of communications property.

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On behalf of ATT, T-Mobile, U.S. Cellular, and Verizon