

1 S.24

2 Introduced by Senators McCormack, Campbell, Cummings, Flanagan, Lyons,
3 MacDonald and Racine

4 Referred to Committee on

5 Date:

6 Subject: Education; school districts; education spending; divided question for
7 voting budget; repeal

8 Statement of purpose: This bill proposes to repeal the provisions of Secs. 5
9 and 6 of No. 82 of the Acts of 2007 amending 16 V.S.A. § 563, which require
10 that school district budgets in excess of the maximum inflation amount be
11 presented to the voters as a divided question.

12 An act relating to the repeal of the requirement that school budgets in
13 excess of the maximum inflation amount be presented to the voters as a
14 divided question

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 16 V.S.A. § 563 is amended to read:

17 § 563. POWERS OF SCHOOL BOARDS; ~~FORM OF VOTE IF BUDGET~~
18 ~~EXCEEDS BENCHMARK AND DISTRICT SPENDING IS ABOVE~~
19 ~~AVERAGE~~

20 The school board of a school district, in addition to other duties and
21 authority specifically assigned by law:

* * *

(11)(A) Shall prepare and distribute annually a proposed budget for the next school year according to such major categories as may from time to time be prescribed by the commissioner.

~~(B) If the proposed budget contains education spending in excess of the Maximum Inflation Amount, and the district's education spending per equalized pupil in the fiscal year preceding the year for which the budget is proposed was in excess of the statewide average district education spending per equalized pupil in that same fiscal year, as determined by the commissioner of education, then in lieu of any other statutory or charter form of budget adoption or budget vote, the board shall present the budget to the voters by means of a divided question, in the form of vote provided in subdivision (ii) of this subsection.~~

~~(i) "Maximum Inflation Amount" in this section means:~~

~~(I) the statewide average district education spending per equalized pupil, as defined in subdivision 4001(6) of this title, in the fiscal year preceding the year for which the budget is proposed, as determined by the commissioner of education, multiplied by the New England Economic Project Cumulative Price Index percentage change, as of November 15 preceding distribution of the proposed budget, for state and local government purchases of goods and services for the fiscal year for which the budget is proposed, plus~~

one percentage point; plus the district's education spending per equalized pupil in the fiscal year preceding the year for which the budget is proposed, as determined by the commissioner of education;

(H) multiplied by the higher of the following amounts as determined by the commissioner of education:

(aa) the district's equalized pupil count in the fiscal year preceding the year for which the budget is proposed; or

(bb) the district's equalized pupil count in the fiscal year for which the budget is proposed.

(ii) Form of vote:

"School Budget Question #1:

Shall the voters of the _____ School District approve a total budget in the amount of [\$ _____], which includes the Maximum Inflation _____ Amount of education spending?

"School Budget Question #2:

If Question #1 is approved, shall the voters of the School District also approve additional education spending of [\$ _____]?"

(C)(B) At a school district's annual meeting, the electorate may vote to provide notice of availability of the school budget required by this subdivision to the electorate in lieu of distributing the budget. If the electorate of the school district votes to provide notice of availability, it must specify how

1 notice of availability shall be given, and such notice of availability shall be
2 provided to the electorate at least 30 days before the district's annual meeting.
3 The proposed budget shall be prepared and distributed at least ten days before
4 a sum of money is voted on by the electorate. Any proposed budget shall show
5 the following information in a format prescribed by the commissioner of
6 education:

7 (i) all revenues from all sources and expenses, including as separate
8 items any assessment for a union school district or a supervisory union of
9 which it is a member, and any tuition to be paid to a technical center;

10 (ii) the specific amount of any deficit incurred in the most recently
11 closed fiscal year and how the deficit was or will be remedied;

12 (iii) the anticipated homestead tax rate and the percentage of
13 household income used to determine income sensitivity in the district as a
14 result of passage of the budget; including those portions of the tax rate
15 attributable to the union school and supervisory union assessments; and

16 (iv) in the case of a school district:

17 (I) other than a union school district, the definition of "education
18 spending," the number of pupils and number of equalized pupils in the school
19 district, and the district's education spending per equalized pupil in the
20 proposed budget and in each of the prior three years; or

4 * * *

6 Sec. 6 (effective date; a divided question is required when voting for school
7 budgets that exceed the maximum inflation amount for fiscal years 2010
8 ((school year 2009-2010)) through 2014 ((school year 2013-2014))) of No. 82
9 of the Acts of 2007 is repealed.

11 This act shall take effect on passage and shall apply to all proposed school
12 budgets on which the electorate will vote after the effective date of this act.