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H.876

Representative Lewis of Berlin moves that the bill be amended as follows:

First: By striking out Sec. 36 (effective date) and the reader assistance heading “* * * Effective Date * * *” in their entirety and inserting in lieu thereof six new sections to be Secs. 36 through 41 with reader assistance headings to read:

* * * Supervisory Unions; Budgets; Vote * * *

Sec. 36. 16 V.S.A. § 261a(11) is amended to read:

(11) ~~on or before June 30 of each year, adopt a budget for the ensuing school year~~ annually, prepare a budget for presentation to the voters of the member school districts pursuant to section 305 of this title; and

Sec. 37. 16 V.S.A. § 242(4)(D) is amended to read:

(D) prepare for each district an itemized report detailing the portion of the proposed supervisory union budget for the subsequent school year for which the district would be assessed for the subsequent school year responsible, identifying the component costs by category and explaining the method by which the district’s share for each cost was calculated; and provide the report to each district at least 14 days before ~~a budget, including the supervisory union assessment,~~ budget is voted on by the electorate of the district;

1 Sec. 38. 16 V.S.A. § 301 is amended to read:

2 § 301. APPORTIONMENT OF EXPENSES

3 Unless otherwise agreed upon, ~~each school district shall pay a~~ the portion of
4 the supervisory union budget to be voted upon by each school district shall
5 represent that district's proportionate share of the salary and expenses of the
6 superintendent and the expenses of the supervisory union based on the number
7 of enrolled students in each member school district. "Enrolled students" shall
8 be defined by the State Board by rule, including the treatment of tuition
9 students, special education students, students enrolled in career technical
10 centers, and other particular circumstances.

11 Sec. 39. 16 V.S.A. § 305 is added to read:

12 § 305. ESTABLISHMENT OF A SUPERVISORY UNION BUDGET

13 (a) Annually, the board of a supervisory union shall provide a proposed
14 supervisory union budget to the board of each member school district, together
15 with the detailed information required in subdivision 242(4)(D) of this title.

16 (b) Each district board shall present the supervisory union budget to the
17 district voters as a separate article in the warning for the district budget,
18 expressing the sum in dollars and indicating the district's proportionate share
19 of the total budget. If the voters in a town vote on the budgets of two or more
20 districts, then they shall have the opportunity to vote only once on the
21 supervisory union budget, but the proportionate share for each district shall be

1 indicated. The voters in each district within a supervisory union shall vote on
2 the supervisory union budget on the same day and during the same hours.

3 (c) The vote on the supervisory union budget shall be warned and held by
4 Australian ballot. If a district does not vote on its district budget by Australian
5 ballot, then the voters of that district may vote to proceed in the same manner
6 as for the school district budget, provided that the number of votes in favor of
7 and opposed to the supervisory union budget shall be tallied and the
8 supervisory union budget shall not be amended.

9 (d) The clerk of each school district shall certify the number of votes in
10 favor of and opposed to the supervisory union budget in that district. Within
11 ten days of the vote, all school district clerks within the supervisory union shall
12 meet to establish and jointly certify if a majority of the commingled votes were
13 in favor of or in opposition to the supervisory union budget.

14 (e) The supervisory union budget is established if all school district clerks
15 within a supervisory union certify that a majority of the commingled votes
16 were in favor of the budget. If a proposed budget is rejected, then the
17 supervisory union board shall prepare a revised budget and shall identify a date
18 on which all districts will vote whether to approve it. The board of each
19 member school district shall warn the vote on the revised budget, which shall
20 be by Australian ballot and shall take place in the same locations as the
21 original vote. If the revised budget is rejected, then the boards shall repeat the

1 procedure in this subsection until the budget is adopted. If the voters fail to
2 approve a supervisory union budget by July 1 of any year, then the most
3 recently adopted budget shall be the budget for the fiscal year beginning on
4 that July 1 and the supervisory union shall assess each member district for
5 payment of a proportionate share.

6 (f) Following a successful vote on a supervisory union budget, the
7 supervisory union board shall give notice to the legislative branch of each
8 district.

9 (g) Early and absentee voting as provided by 17 V.S.A. §§ 2531–2550 is
10 permitted.

11 (h) Unless clearly inconsistent, the provisions of 17 V.S.A. chapter 55 shall
12 apply to actions taken under this section.

13 (i) If an audit conducted of the supervisory union reveals that the
14 supervisory union has:

15 (1) surplus funds, then the supervisory union board shall carry the funds
16 into the next year to be used to offset each member district's obligation
17 proportionally;

18 (2) a deficit, then the supervisory union board shall apportion the
19 obligation to each member district in the next supervisory union budget.

20 Sec. 40. 16 V.S.A. § 563(11)(C)(i) is amended to read:

1 (i) all revenues from all sources, and expenses, including as
2 separate items ~~any assessment for a supervisory union of which it is a member~~
3 the district's proportionate share of the supervisory union's proposed budget
4 and any tuition to be paid to a career technical center; and including the report
5 required in subdivision 242(4)(D) of this title itemizing the component costs of
6 the district's proportionate share of the supervisory union assessment budget;

7 * * *

8 * * * Effective Date * * *

9 Sec. 41. EFFECTIVE DATE

10 This act shall take effect on passage; provided, however, that:

11 (1) Sec. 29 (tuition for graduate and distance education programs) shall
12 not apply to students who are enrolled as of that date in the University of
13 Vermont in:

14 (A) a distance education course or program; or

15 (B) a graduate program other than in the College of Medicine; and

16 (2) Secs. 36 through 40 shall apply to budgets for the 2015–2016
17 academic year and after.