

1 SPECIAL SESSION

2 H.13

3 Representative Beck of St. Johnsbury moves that the bill be amended as
4 follows:

5 First: In Sec. D.101 (fund transfers, reversions, reserves), by inserting a
6 subdivision (a)(4) to read as follows:

7 (4)(A) Of the \$34,500,000 in funds carried forward under subdivision
8 C.1000(d)(2) of this act, \$33,800,000 shall be transferred to the Education
9 Fund in fiscal year 2019.

10 (B) Beginning in fiscal year 2020, and each fiscal year after that, an
11 amount equal to \$14,000,000 minus the Act 46 incentive amount for that fiscal
12 year shall be transferred from the Education Fund to the General Fund.

13 (i) As used in this subsection (a), the term “Act 46 incentive
14 amount” means the amount of revenue forgone as a result of the statewide
15 property tax incentives permitted to school districts under 2015 Acts and
16 Resolves No. 46, Secs. 6 and 7. The Act 46 incentive amount shall be
17 determined by the Commissioner of Taxes, after consultation with the
18 Secretary of Education, the Secretary of Administration, and the Joint Fiscal
19 Office, and published in the December 1 letter required by 32 V.S.A. § 5402b.

1 (ii) When the amounts transferred under this subdivision (B) have
2 equaled the amounts transferred under subdivision (A), this subdivision (B)
3 shall be repealed effective on July 1 of the following fiscal year.

4 Second: By striking out Secs. H.8–11 (allocation of revenue and yields)
5 and H.13 (effective dates) and inserting in lieu thereof the following:

6 * * * Allocation of Education Funds * * *

7 Sec. H.8 16 V.S.A. § 4025 is amended to read:

8 § 4025. EDUCATION FUND

9 (a) The Education Fund is established to comprise the following:

10 (1) ~~All~~ all revenue paid to the State from the statewide education tax on
11 nonresidential and homestead property under 32 V.S.A. chapter 135;

12 (2) ~~For each fiscal year, the amount of the general funds appropriated~~
13 ~~and transferred to the Education Fund shall be \$305,900,000.00, to be~~
14 ~~increased annually beginning for fiscal year 2018 by the consensus Joint Fiscal~~
15 ~~Office and Administration determination of the National Income and Product~~
16 ~~Accounts (NIPA) Implicit Price Deflator for State and Local Government~~
17 ~~Consumption Expenditures and Gross Investment as reported by the U.S.~~
18 ~~Department of Commerce, Bureau of Economic Analysis through the fiscal~~
19 ~~year for which the payment is being determined, plus an additional one-tenth~~
20 ~~of one percent. [Repealed.]~~

1 (3) ~~Revenues~~ revenues from State lotteries under 31 V.S.A. chapter 14,
2 and from any multijurisdictional lottery game authorized under that chapter.;

3 (4) 25 percent of the revenues from the meals and rooms taxes imposed
4 under 32 V.S.A. chapter 225;

5 (5) ~~One-third~~ one-third of the revenues raised from the purchase and use
6 tax imposed by 32 V.S.A. chapter 219, notwithstanding 19 V.S.A. § 11(1);

7 (6) ~~Thirty-six percent of the~~ revenues raised from the sales and use tax
8 imposed by 32 V.S.A. chapter 233.;

9 (7) Medicaid reimbursement funds pursuant to subsection 2959a(f) of
10 this title.

11 (b) Monies in the Education Fund shall be used for the following:

12 (1) To make payments to school districts and supervisory unions for the
13 support of education in accordance with the provisions of section 4028 of this
14 title, other provisions of this chapter, ~~and~~ the provisions of 32 V.S.A.
15 chapter 135, ~~to make payments to carry out programs of adult education in~~
16 ~~accordance with section 945 of this title, and to provide funding for the~~
17 ~~community high school of Vermont~~ and the Flexible Pathways Initiative
18 established by section 941 of this title, but excluding adult education and
19 literacy programs under section 945 of this title.

20 * * *

1 (3) To make payments required under 32 V.S.A. § 6066(a)(1) ~~and (2)~~
2 and only that portion attributable to education taxes, as determined by the
3 Commissioner of Taxes, of payments required under 32 V.S.A. § 6066(a)(3)
4 ~~and 6066(b) and (4)~~. The State Treasurer shall withdraw funds from the
5 Education Fund upon warrants issued by the Commissioner of Finance and
6 Management based on information supplied by the Commissioner of Taxes.
7 The Commissioner of Finance and Management may draw warrants for
8 disbursements from the Fund in anticipation of receipts. All balances in the
9 Fund at the end of any fiscal year shall be carried forward and remain a part of
10 the Fund. Interest accruing from the Fund shall remain in the Fund.

11 * * *

12 (c) ~~An equalization and reappraisal account is established within the~~
13 ~~Education Fund. Monies from this account are to be used by the Division of~~
14 ~~Property Valuation and Review to assist towns with maintenance or reappraisal~~
15 ~~on a case-by-case basis; and for reappraisal and grand list maintenance~~
16 ~~assistance payments pursuant to 32 V.S.A. §§ 4041a and 5405(f). [Repealed.]~~

17 * * *

18 Sec. H.9 32 V.S.A. § 435(b) is amended to read:

19 (b) The General Fund shall be composed of revenues from the following
20 sources:

21 * * *

1 (7) ~~Meals 75 percent of the meals~~ and rooms taxes levied pursuant to
2 chapter 225 of this title;

3 * * *

4 (11) ~~64 percent of the revenue from sales and use taxes levied pursuant~~
5 ~~to chapter 233 of this title; [Repealed.]~~

6 * * *

7 Sec. H.9a REPORT

8 On or before January 1, 2024, the Joint Fiscal Office shall report to the
9 House Committees on Appropriations and on Ways and Means and the Senate
10 Committees on Appropriations and on Finance on the impact of the changes in
11 Secs. H.8 and H.9 of this act reallocating the revenues generated for the
12 General Fund and Education Fund.

13 * * * Calculation of Homestead Property Tax Rates * * *

14 Sec. H.10 32 V.S.A. § 5401 is amended to read:

15 § 5401. DEFINITIONS

16 As used in this chapter:

17 * * *

18 (13)(A)(i) ~~“Education~~ For districts with education spending per
19 equalized pupil that is equal to or in excess of the base spending amount,
20 “education property tax spending adjustment” means the greater of: one or a
21 fraction in which the numerator is the district’s education spending ~~plus excess~~

1 ~~spending~~, per equalized pupil, above the base spending amount for the school
2 year; and the denominator is the property dollar equivalent yield for the school
3 year, as defined in subdivision (15) of this section.

4 (ii) For districts with education spending per equalized pupil that
5 is less than the base spending amount, the education property tax spending
6 adjustment shall be zero.

7 (B) ~~“Education income tax spending adjustment” means the greater~~
8 ~~of: one or a fraction in which the numerator is the district’s education~~
9 ~~spending plus excess spending, per equalized pupil, for the school year; and~~
10 ~~the denominator is the income dollar equivalent yield for the school year, as~~
11 ~~defined in subdivision (16) of this section. [Repealed.]~~

12 * * *

13 (15) “Property dollar equivalent yield” means the amount of education
14 spending per equalized pupil that would result if the homestead tax rate were
15 \$1.00 per \$100.00 of equalized education property value, and the statutory
16 reserves under 16 V.S.A. § 4026 and section 5402b of this title were
17 maintained, calculated as if total statewide education spending per equalized
18 pupil were equal to the total statewide education spending per equalized pupil
19 minus the total statewide base spending amount per equalized pupil.

20 (16) ~~“Income dollar equivalent yield” means the amount of spending per~~
21 ~~equalized pupil that would result if the income percentage in subdivision~~

1 ~~6066(a)(2) of this title were 2.0 percent, and the statutory reserves under~~
2 ~~16 V.S.A. § 4026 and section 5402b of this title were maintained.~~ “Base
3 income percentage” means a percentage set by the General Assembly each
4 year under subsection 5402b(b) of this title.

5 (17) “Base spending amount” means the amount that results from the
6 following calculation:

7 (A) the sum of the total projected Education Fund revenue sources
8 under 16 V.S.A. § 4025(a)(1)-(7) for the following fiscal year, plus any surplus
9 from the prior fiscal year, minus the total projected amount of revenue raised
10 by the statewide education homestead tax in the following fiscal year, without
11 regard to any adjustment under chapter 154 of this title; minus

12 (B) an amount equal to the projected Education Fund expenditures
13 for the following fiscal year, minus the projected education payments under
14 16 V.S.A. § 4028 for the following fiscal year, and plus any projected transfer
15 to the Education Fund Budget Stabilization Reserve Fund established under
16 16 V.S.A. § 4026; plus

17 (C) the projected amount of revenue raised by the statewide
18 education homestead tax that would result if the homestead tax rate were \$1.00
19 per \$100.00 of equalized education property value in the following fiscal year;
20 divided by

1 (D) the total projected count of equalized pupils in the following
2 fiscal year.

3 Sec. H.11 32 V.S.A. § 5402 is amended to read:

4 § 5402. EDUCATION PROPERTY TAX LIABILITY

5 (a) A statewide education tax is imposed on all nonresidential and
6 homestead property at the following rates:

7 (1) The tax rate for nonresidential property shall be \$1.59 per \$100.00.

8 (2) The tax rate for homestead property shall be \$1.00 ~~multiplied by~~ plus
9 the education property tax spending adjustment for the municipality per
10 \$100.00 of equalized education property value as most recently determined
11 under section 5405 of this title. The homestead property tax rate for each
12 municipality ~~which~~ that is a member of a union or unified union school district
13 shall be calculated as required under subsection (e) of this section.

14 * * *

15 Sec. H.12 32 V.S.A. § 5402b is amended to read:

16 § 5402b. STATEWIDE EDUCATION TAX YIELDS;

17 RECOMMENDATION OF THE COMMISSIONER

18 (a) Annually, ~~no later than~~ on or before December 1, the Commissioner of
19 Taxes, after consultation with the Secretary of Education, the Secretary of
20 Administration, and the Joint Fiscal Office, shall calculate and recommend a
21 property dollar equivalent yield, ~~an income dollar equivalent yield~~ a base

1 income percentage, the base spending amount, and a nonresidential property
2 tax rate for the following fiscal year. The Commissioner shall also indicate the
3 impact on these variables of holding education spending level with the prior
4 fiscal year. In making these calculations, the Commissioner shall assume:

5 (1) the homestead base tax rate in subdivision 5402(a)(2) of this title is
6 \$1.00 per \$100.00 of equalized education property value;

7 (2) ~~the applicable percentage in subdivision 6066(a)(2) of this title~~
8 ~~is 2.0;~~ [Repealed.]

9 (3) the statutory reserves under 16 V.S.A. § 4026 and this section ~~were~~
10 are maintained at five percent; and

11 (4) the percentage change in the ~~median~~ average education tax bill
12 applied to nonresidential property; and the percentage change in the ~~median~~
13 average education tax bill of homestead property; and the percentage change in
14 the ~~median~~ average education tax bill for taxpayers who claim an adjustment
15 under subsection 6066(a) of this title are equal.

16 (b) For each fiscal year, the General Assembly shall set a property dollar
17 equivalent yield and ~~an income dollar equivalent yield;~~ a base income
18 percentage consistent with the definitions in this chapter.

19 * * *

20 (d) Annually, on or about January 15, the Joint Fiscal Office and Secretary
21 of Administration shall provide to the Emergency Board a calculation of the

1 base spending amount for the upcoming fiscal year. The Emergency Board
2 shall review the calculation at its January meeting and shall adopt a base
3 spending amount for the upcoming fiscal year.

4 * * * Yield, Applicable Percentage and Nonresidential Rate for

5 Fiscal Year 2019 * * *

6 Sec. H.13 PROPERTY DOLLAR EQUIVALENT YIELD AND BASE

7 INCOME PERCENTAGE FOR FISCAL YEAR 2019

8 (a) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2019 only, the
9 property dollar equivalent yield shall be \$10,251.

10 (b) Notwithstanding any other provision of law, for fiscal year 2019 only,
11 the base income percentage under 32 V.S.A. § 6066(a)(2) shall be 1.66.

12 (c) The nonresidential rate for fiscal year 2019 shall be the statutory default
13 rate of \$1.535 per \$100 of equalized education property value under 32 V.S.A.
14 § 5402(a)(2).

15 * * * Statewide Education Property Tax Bills * * *

16 Sec. H.14 32 V.S.A. § 5402(b) is amended to read:

17 (b) The statewide education tax shall be calculated as follows:

18 * * *

19 (2) Taxes assessed under this section shall be assessed and collected in
20 the same manner as taxes assessed under chapter 133 of this title with no tax
21 classification other than as homestead or nonresidential property; provided,

1 however, that the tax levied under this chapter shall be billed to each taxpayer
2 by the municipality in a manner that clearly indicates the tax is separate from
3 any other tax assessed and collected under chapter 133, including an
4 itemization of the separate taxes due. The bill may be on a single sheet of
5 paper with the statewide education tax and other taxes presented separately and
6 side by side.

7 * * *

8 Sec. H.15 32 V.S.A. § 6066a(f) is amended to read:

9 (f) Property tax bills.

10 (1) For taxpayers and amounts stated in the notice to towns on July 1,
11 municipalities shall create and send to taxpayers a homestead property tax bill,
12 instead of the bill required under subdivision 5402(b)(1) of this title, providing
13 the total amount allocated to payment of homestead education property tax
14 liabilities and notice of the balance due. Nothing in this subdivision, however,
15 shall be interpreted as altering the requirement under subdivision 5402(b)(1) of
16 this title that the statewide education homestead tax be billed in a manner that
17 is stated clearly and separately from any other tax. Municipalities shall apply
18 the amount allocated under this chapter to current-year property taxes in equal
19 amounts to each of the taxpayers' property tax installments that include
20 education taxes. Notwithstanding section 4772 of this title, if a town issues a
21 corrected bill as a result of the November 1 notice sent by the Commissioner

1 under subsection (a) of this section, issuance of ~~such~~ the corrected new bill
2 does not extend the time for payment of the original bill, nor relieve the
3 taxpayer of any interest or penalties associated with the original bill. If the
4 corrected bill is less than the original bill, and there are also no unpaid ~~current~~
5 ~~year~~ current-year taxes, interest, or penalties and no ~~past-year~~ past-year
6 delinquent taxes or penalties and interest charges, any overpayment shall be
7 reflected on the corrected tax bill and refunded to the taxpayer.

8 * * *

9 * * * Property Tax Adjustments * * *

10 Sec. H.16 32 V.S.A. § 6066 is amended to read:

11 § 6066. COMPUTATION OF ADJUSTMENT

12 (a) An eligible claimant who owned the homestead on April 1 of the year in
13 which the claim is filed shall be entitled to an adjustment amount determined
14 as follows:

15 (1)(A) For a claimant with household income of \$90,000.00 or more:

16 (i) the statewide education tax rate, multiplied by the equalized
17 value of the housesite in the taxable year;

18 (ii) minus (if less) the sum of:

19 (I) the income percentage of household income for the taxable
20 year; plus

1 (II) the statewide education tax rate, multiplied by the
2 equalized value of the housesite in the taxable year in excess of ~~\$250,000.00~~
3 \$200,000.00.

4 (B) For a claimant with household income of less than \$90,000.00
5 but more than \$47,000.00, the statewide education tax rate, multiplied by the
6 equalized value of the housesite in the taxable year, minus (if less) the sum of:

7 (i) the income percentage of household income for the taxable
8 year; plus

9 (ii) the statewide education tax rate, multiplied by the equalized
10 value of the housesite in the taxable year in excess of ~~\$500,000.00~~
11 \$400,000.00.

12 (C) For a claimant whose household income does not exceed
13 \$47,000.00, the statewide education tax rate, multiplied by the equalized value
14 of the housesite in the taxable year, minus the lesser of:

15 (i) the sum of the income percentage of household income for the
16 taxable year plus the statewide education tax rate, multiplied by the equalized
17 value of the housesite in the taxable year in excess of ~~\$500,000.00~~
18 \$400,000.00; or

19 (ii) the statewide education tax rate, multiplied by the equalized
20 value of the housesite in the taxable year reduced by \$15,000.00.

1 (2) “Income percentage” in this section means ~~two percent~~, the base
2 income percentage adopted by the General Assembly for the fiscal year, plus
3 the base income percentage multiplied by the education income property tax
4 spending adjustment under subdivision 5401(13)~~(B)~~(A) of this title for the
5 property tax year ~~which~~ that begins in the claim year for the municipality in
6 which the homestead residence is located.

7 (3) A claimant whose household income does not exceed \$47,000.00
8 shall also be entitled to an additional adjustment amount from the claimant’s
9 municipal taxes for the upcoming fiscal year that is equal to the amount by
10 which the municipal property taxes for the municipal fiscal year ~~which~~ that
11 began in the taxable year upon the claimant’s housesite, ~~reduced by the~~
12 ~~adjustment amount determined under subdivisions (1) and (2) of this~~
13 ~~subsection, exceeds~~ exceed a percentage of the claimant’s household income
14 for the taxable year as follows:

15 If household income (rounded to then the taxpayer is entitled to
16 the nearest dollar) is: credit for the reduced property tax in
17 excess of this percent of that income:

18 \$0.00 - 9,999.00	2.0	<u>1.50</u>
19 \$10,000.00 – 24,999.00	4.5	
20 \$25,000.00 – 47,000.00	5.0	
21 <u>\$10,000.00 - 47,000.00</u>		<u>3.00</u>

1 (4) A claimant whose household income does not exceed \$47,000.00
2 shall also be entitled to an additional adjustment amount from the claimant’s
3 statewide education tax for the upcoming fiscal year that is equal to the amount
4 by which the education property tax for the municipal fiscal year that began in
5 the taxable year upon the claimant’s housesite, reduced by the adjustment
6 amount determined under subdivisions (1) and (2) of this subsection, exceeds a
7 percentage of the claimant’s household income for the taxable year as follows:

8 <u>If household income (rounded to</u>	<u>then the taxpayer is entitled to</u>
9 <u>the nearest dollar) is:</u>	<u>credit for the reduced property tax in</u>
	<u>excess of this percent of that income:</u>

11 <u>\$0.00 - 9,999.00</u>	<u>0.5</u>
-----------------------------	------------

12 <u>\$10,000.00 - 24,999.00</u>	<u>1.5</u>
-----------------------------------	------------

13 <u>\$25,000.00 - 47,000.00</u>	<u>2.0</u>
-----------------------------------	------------

14 ~~(4)~~(5) In no event shall the credit provided for in subdivision (3) or (4)
15 of this subsection exceed the amount of the reduced property tax. The
16 adjustments under subdivisions (3) and (4) of this subsection shall be
17 calculated considering only the tax due on the first \$400,000.00 in equalized
18 housesite value.

19 * * *

1 Sec. H.17 32 V.S.A. § 6067 is amended to read:

2 § 6067. CREDIT LIMITATIONS

3 Only one individual per household per taxable year shall be entitled to a
4 benefit under this chapter. An individual who received a homestead exemption
5 or adjustment with respect to property taxes assessed by another state for the
6 taxable year shall not be entitled to receive an adjustment under this chapter.

7 No taxpayer shall receive an adjustment under subsection 6066(b) of this title
8 in excess of \$3,000.00. No taxpayer shall receive ~~total adjustments under this~~
9 ~~chapter in excess of \$8,000.00 related to any one property tax year an~~
10 adjustment under subdivision 6066(a)(3) of this title greater than \$2,400.00 or
11 a cumulative adjustment under subdivisions 6066(a)(1)-(2) and (4) of this title
12 greater than \$5,600.00.

13 * * * Excess Spending * * *

14 Sec. H.18 REPEALS

15 The following are repealed:

16 (1) 16 V.S.A. § 4001(6)(B) (definition of education spending for the
17 purpose of excess spending).

18 (2) 32 V.S.A. § 5401(12) (excess spending penalty).

1 Sec. H.19 16 V.S.A. § 4011(i) is amended to read:

2 (i) Annually, ~~by~~ on or before October 1, the Secretary shall send to school
3 boards for inclusion in town reports and publish on the Agency website the
4 following information:

5 (1) the statewide average district spending per equalized pupil for the
6 current fiscal year; ~~and 125 percent of that average spending;~~ and

7 (2) a statewide comparison of student-teacher ratios among schools that
8 are similar in number of students and number of grades.

9 Sec. H.20 24 V.S.A. § 2804(b) is amended to read:

10 (b) ~~If a reserve fund is established under subsection (a) of this section to~~
11 ~~pay a school district's future school capital construction costs approved under~~
12 ~~16 V.S.A. chapter 123, any funds raised by the district as part of its education~~
13 ~~spending to pay for those future costs shall be considered "approved school~~
14 ~~capital construction spending" in calculating excess spending under 32 V.S.A.~~
15 ~~§ 5401(12).~~ Districts shall submit to the Agency of Education annually a
16 report of deposits into and expenditures from a school capital construction
17 reserve fund. ~~If the Agency of Education determines that any amount in the~~
18 ~~reserve fund has not been used for approved school capital construction within~~
19 ~~five years after deposit into the fund, then 150 percent of that amount shall be~~
20 ~~added to the district's education spending in the then-current year for purposes~~

1 ~~of calculating the excess spending penalty. The definitions in 16 V.S.A.~~
2 ~~chapter 133 shall apply to this subsection.~~

3 * * * Vermont Tax Structure Commission * * *

4 Sec. H.21 VERMONT TAX STRUCTURE COMMISSION

5 (a) There is hereby established the Vermont Tax Structure Commission
6 composed of three to five members to be selected as follows:

7 (1) the Speaker of the House, the President Pro Tempore of the Senate,
8 and the Governor shall each appoint one member; and

9 (2) the three members appointed pursuant to subdivision (1) of this
10 subsection may select one or two additional members, based on a majority
11 vote.

12 (b) The Commission shall be appointed as soon as possible after the
13 effective date of this act. The Commission shall elect a chair and a vice chair
14 from among its members.

15 (c) The Commission shall prepare a structural analysis of the State's
16 revenue system and offer recommendations for improvements and
17 modernization and provide a long-term vision for the tax structure. The
18 Commission's analysis shall include a review of Vermont's income taxes,
19 consumption-based taxes, the education financing system, tax expenditures,
20 and property and asset-based taxes. The Commission shall have as its goal a
21 tax system that provides sustainability, appropriateness, and equity. For

1 guidance, the Commission may use the Principles of a High-Quality State
2 Revenue System as prepared by the National Conference of State Legislatures.

3 A high-quality revenue system:

4 (1) Comprises elements that are complementary, including the finances
5 of both state and local governments.

6 (2) Produces revenue in a reliable manner. Reliability involves stability,
7 certainty, and sufficiency.

8 (3) Relies on a balanced variety of revenue sources.

9 (4) Treats individuals equitably. Minimum requirements of an equitable
10 system are that it imposes similar tax burdens on people in similar
11 circumstances, it minimizes regressivity, and it minimizes taxes on individuals
12 with low income.

13 (5) Facilitates taxpayer compliance. It is easy to understand and
14 minimizes compliance costs.

15 (6) Promotes fair, efficient, and effective administration. It is as simple
16 as possible to administer, raises revenue efficiently, is administered
17 professionally, and is applied uniformly.

18 (7) Is responsive to interstate and international economic competition.

19 (8) Minimizes its involvement in spending decisions and makes any
20 such involvement explicit.

21 (9) Is accountable to taxpayers.

1 (d) It is the intent of the General Assembly that the work of the
2 Commission not supplant or delay the normal Legislative and Executive
3 Branch review and alteration of tax and revenue issues under State law.

4 (e) The Commission shall begin its work by:

5 (1) updating and incorporating the relevant work of the Blue Ribbon
6 Tax Structure Commission created by the 2009 Spec. Sess. Acts and Resolves,
7 No. 1;

8 (2) updating and incorporating work from the existing studies of
9 Vermont’s education finance system since the enactment of 1998 Acts and
10 Resolves, No. 60 and 2004 Acts and Resolves, No. 68;

11 (f) The Commission shall submit a two-year work plan and budget to the
12 Joint Fiscal Committee, the Senate Committee on Finance, and the House
13 Committee on Ways and Means by February 15, 2019. The work plan shall
14 outline the work the Commission intends to complete in its review of
15 Vermont’s income taxes, consumption-based taxes, education financing
16 system, tax expenditures, and property and asset-based taxes. The final report
17 of the Commission shall be made to the General Assembly on or before
18 January 15, 2021.

19 (g) The Commission shall receive technical support from the Department
20 of Taxes, the legislative Joint Fiscal Office, and consultants.

1 (h) The Joint Fiscal Office with the assistance of the Legislative Council
2 and the Department of Taxes may contract with one or more consultants or hire
3 a limited service position to provide assistance with achieving the goals for the
4 Commission. The consultants shall have extensive experience with state tax
5 systems and shall have participated in at least one other study of a state tax
6 system.

7 (i) Members of the Commission shall be entitled to compensation as
8 provided under 32 V.S.A. § 1010.

9 * * * JFO Report * * *

10 Sec. H.22 24 V.S.A. § 1892(g) is amended to read:

11 (g) Beginning in 2019 ~~and annually~~ 2021 and every four years thereafter,
12 on or before January 15 ~~of each year~~, the Joint Fiscal Office, with the
13 assistance of the consulting Legislative Economist, the Department of Taxes,
14 and the Agency of Commerce and Community Development in consultation
15 with the Vermont Economic Progress Council, shall examine the
16 recommendations and conclusions of the tax increment financing capacity
17 study and report created pursuant to subsection (e) of this section, and shall
18 submit to the Emergency Board and to the House Committees on Commerce
19 and Economic Development and on Ways and Means and the Senate
20 Committees on Economic Development, Housing and General Affairs and on
21 Finance an updated summary report that includes:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

* * * Staff-to-Student Ratios Task Force * * *

Sec. H.23 STAFF-TO-STUDENT RATIOS TASK FORCE

(a) Creation. There is created the Staff-to-Student Ratios Task Force, a collaborative effort among government, nonprofit organizations, research experts, and other education stakeholders, that will strive best to ensure education quality while simultaneously ensuring fiscal efficiency in the context of the State’s declining student population. Specifically, the Task Force is charged with:

(1) reviewing current staff-to-student count ratios for specific categories of schools and school district configurations, and establishing optimal target ratios for different school district configurations;

(2) identifying barriers that hamper staffing flexibility at the local level, including whether aspects of the regulatory environment, including mandatory staffing requirements and collective bargaining or other contractual obligations, contribute to lower staff-to-student ratios;

(3) aligning to the greatest extent possible the work of the Task Force with existing research findings and reports, based on studies conducted either nationally or in New England, concerning optimal classroom practices and resources, and class and school sizes for successful learning outcomes, and the impact of population decline on rural schools;

1 (4) attending to compliance with federal rules and regulations, so as to
2 avoid jeopardizing the State’s federal funding;

3 (5) determining a mechanism or mechanisms that account for the effects
4 of familial and community level poverty and human services need, including
5 student experiences of trauma and familial or community level addiction, on
6 staffing ratios;

7 (6) considering the impact on staff-to-student ratios due to students’
8 enrollment with independent schools; and

9 (7) developing recommended strategies for districts to help them meet
10 targets.

11 (b) Membership. The Task Force shall be composed of the following
12 members:

13 (1) the Secretary of Education or designee;

14 (2) the Executive Director of the Vermont Superintendents Association
15 or designee;

16 (3) the Executive Director of the Vermont School Boards Association or
17 designee;

18 (4) the Executive Director of the Vermont Principals’ Association or
19 designee;

20 (5) the Executive Director of the Vermont-National Education
21 Association or designee;

1 (6) one member selected by the Vermont Association of School

2 Business Officials;

3 (7) two to four members from Vermont postsecondary institutions,
4 selected by the Task Force, who have expertise in areas among the following:
5 multi-age classrooms and teaching strategies, interdisciplinary instruction,
6 school realignment and reconfiguration, and the impact of community poverty,
7 trauma, or addiction on education staffing; and

8 (8) a national expert in rural education, selected by the Task Force.

9 (c) Assistance. The Task Force shall have technical assistance from the
10 Agency of Education.

11 (d) Report. On or before December 15, 2018, the Task Force shall present
12 to the House and Senate Committees on Education its findings concerning
13 optimum staff-to-student ratios, including optimum ratios for a variety of
14 school and school district sizes and configurations. The Task Force shall
15 include in its report a recommendation as to whether staff-to-student target
16 ratios should be included in statute for fiscal year 2021.

17 (e) Meetings.

18 (1) The Secretary of Education or designee shall call the first meeting of
19 the Task Force to occur on or before July 1, 2018.

20 (2) The Task Force shall select a chair from among its members at the
21 first meeting.

1 (3) The Task Force shall cease to exist on December 31, 2018.

2 (f) Compensation and reimbursement. Members of the Task Force who are
3 not employees of the State of Vermont and who are not otherwise compensated
4 or reimbursed for their attendance shall be entitled to per diem compensation
5 and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for not more
6 than ten meetings. These payments shall be made from monies appropriated to
7 the Agency of Education.

8 (g) Appropriation. The sum of \$7,320.00 is appropriated from the General
9 Fund to the Agency of Education to provide funding for the purposes set forth
10 in this section.

11 * * * Effective Dates; Transition for Secs. H.1–H.24 * * *

12 Sec. H.24 EFFECTIVE DATES AND TRANSITION

13 This act shall take effect on passage, except:

14 (1) Notwithstanding 1 V.S.A. § 214, Secs. H.1–H.6 (income tax
15 changes) shall take effect retroactively on January 1, 2018 and apply to taxable
16 year 2018 and after.

17 (2) Notwithstanding 1 V.S.A. § 214, Sec. H.7 (income tax link to the
18 federal tax statutes) shall take effect retroactively on January 1, 2018 and apply
19 to taxable years beginning on January 1, 2017 and after.

20 (3) Secs. H.8–H.9 (General Fund and Education Fund revenues) shall
21 take effect on July 2, 2018 and apply to fiscal year 2019 and after. It is the

1 intent of the General Assembly that the changes in Secs. H.8 and H.9 of this
2 act shall take effect notwithstanding any provisions passed in the fiscal year
3 2019 appropriations act to the contrary.

4 (4) Secs. H.10–H.12 (calculation of spending-adjusted property tax
5 rates) shall take effect on July 1, 2018 and apply to fiscal year 2019 and after,
6 except that:

7 (A) for fiscal year 2019 only, the base spending amount shall be
8 \$10,150.00.

9 (B) for fiscal year 2020 only, the base spending amount shall be
10 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 35 percent of
11 what it would otherwise be calculated to be;

12 (C) for fiscal year 2021 only, the base spending amount shall be
13 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 40 percent of
14 what it would otherwise be calculated to be;

15 (D) for fiscal year 2022 only, the base spending amount shall be
16 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 45 percent of
17 what it would otherwise be calculated to be;

18 (E) for fiscal year 2023 only, the base spending amount shall be
19 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 50 percent of
20 what it would otherwise be calculated to be;

1 (F) for fiscal year 2024 only, the base spending amount shall be
2 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 60 percent of
3 what it would otherwise be calculated to be;

4 (G) for fiscal year 2025 only, the base spending amount shall be
5 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 70 percent of
6 what it would otherwise be calculated to be;

7 (H) for fiscal year 2026 only, the base spending amount shall be
8 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 80 percent of
9 what it would otherwise be calculated to be; and

10 (I) for fiscal year 2027 only, the base spending amount shall be
11 calculated as if the amount under 32 V.S.A. § 5401(17)(C) was 90 percent of
12 what it would otherwise be calculated to be;

13 (5) Sec. H.13 (yield, base applicable percentage, and nonresidential rate
14 for fiscal year 2019) shall take effect on July 1, 2018 and apply to fiscal year
15 2019 only.

16 (6) Secs. H.14–H.15 (property tax bills), and H.18–H.20 (repeal of
17 excess spending) shall take effect on July 1, 2018 and apply to fiscal year 2019
18 and after.

19 (7) Notwithstanding 1 V.S.A. § 214, Secs. H.16–H.17 (calculation of
20 property tax adjustments) shall take effect retroactively to the taxable year

- 1 starting January 1, 2017 and apply to property tax adjustment claims filed for
- 2 fiscal year 2019 (claim year 2018) and after.