

House Calendar

Wednesday, March 21, 2018

78th DAY OF THE ADJOURNED SESSION

House Convenes at 1:00 P.M.

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Action Postponed Until March 21, 2018

Favorable with Amendment

H. 897 Enhancing the effectiveness, availability, and equity of services provided to students who require additional support.....	1229
Rep. Sharpe for Education	
Rep. Juskievicz for Appropriations.....	1229
Rep. Donovan for Ways and Means.....	1232

NEW BUSINESS

Third Reading

H. 404 Medicaid reimbursement for long-acting reversible contraceptives	1234
H. 429 Establishment of a communication facilitator program.....	1234
H. 560 Household products containing hazardous substances.....	1234
H. 777 The Clean Water State Revolving Loan Fund.....	1234
H. 780 The inspection of amusement rides.....	1234
H. 785 Housing and affordability.....	1234
H. 911 Changes in Vermont's personal income tax and education financing system.....	1234
Rep. Chesnut-Tangerman Amendment.....	1234
Rep. Scheuermann Amendment.....	1235
Rep. Turner Amendment.....	1250
H. 913 Boards and commissions.....	1250
H. 917 The Transportation Program and miscellaneous changes to transportation-related law.....	1250
H. 920 The authority of the Agency of Digital Services.....	1250
Rep. Carr Amendment.....	1250

H. 921 Nursing home oversight.....	1251
S. 169 An act relating to nonresident clergy authorized to solemnize marriages	1251
S. 291 An act relating to the annual town meeting of the unified towns and gores of Essex County and to the appraisers and supervisors of all unorganized towns and gores.....	1251

Committee Bill for Second Reading

H. 922 Making numerous revenue changes.....	1251
Rep. Young for Ways and Means	

Favorable with Amendment

H. 899 Fees for records filed in town offices and a town fee report and request	1251
Rep. Gannon for Government Operations	
Rep. Browning for Ways and Means.....	1251

NOTICE CALENDAR

Committee Bill for Second Reading

H. 923 Capital construction and State bonding budget adjustment.....	1253
Rep. Emmons for Corrections and Institutions	
H. 924 Making appropriations for the support of government.....	1254
Rep. Toll for Appropriations	

Ordered to Lie

H. 167 Alternative approaches to addressing low-level illicit drug use.....	1254
H. 219 The Vermont spaying and neutering program.....	1254
S. 103 An act relating to the regulation of toxic substances and hazardous materials.....	1254
S. 267 An act relating to timing of a decree nisi in a divorce proceeding..	1254

ORDERS OF THE DAY

ACTION CALENDAR

Action Postponed Until March 21, 2018

Favorable with Amendment

H. 897

An act relating to enhancing the effectiveness, availability, and equity of services provided to students who require additional support.

(Rep. Sharpe of Bristol will speak for the Committee on Education.)

Rep. Juskiewicz of Cambridge, for the Committee on Appropriations, recommends the bill ought to pass when amended as follows:

First: In Sec. 1, Findings, by striking out subsection (f) in its entirety and inserting in lieu thereof a new subsection (f) to read:

(f) The General Assembly finds that:

(1) students who require additional support would be better served if supervisory unions adopted the best practices recommended in the Delivery of Services Report;

(2) the State's current reimbursement model of funding special education serves as an impediment to adopting these best practices, largely due to the constraint on the use of funds and the misalignment with the policy priorities of serving students who require additional support across the general and special education service-delivery systems;

(3) the census-based model of funding for students who require additional support would enable supervisory unions to adopt the best practices recommended in the Delivery of Services Report, largely due to the flexibility in how the funds could be used by supervisory unions and the alignment with the policy priorities; and

(4) the census-based model of funding will result, over time, in cost containment for special education services, which will be realized through lower property tax rates or the ability for localities to use funds for other educational purposes.

Second: In Sec. 4, 16 V.S.A. chapter 101, by striking out in 16 V.S.A. § 2967 in its entirety and inserting in lieu thereof a new § 2967 to read:

§ 2967. AID PROJECTION; ~~STATE SHARE~~

(a) On or before December 15, the Secretary shall publish an estimate, by supervisory union and its member districts ~~to the extent they anticipate~~ of their

~~anticipated reimbursable special education expenditures under this chapter, of the amount of State assistance necessary to fully fund sections 2961 through 2963 of this title in for the ensuing school year.~~

~~(b) The total expenditures made by the State in any fiscal year pursuant to this chapter shall be 60 percent of the statewide total special education expenditures of funds that are not derived from federal sources. Special As used in this section, special education expenditures shall include:~~

~~(1) costs eligible for grants and reimbursements under sections 2961 through 2963a section 2962 of this title;~~

~~(2) costs for services for persons who are visually impaired and persons who are deaf and hard of hearing;~~

~~(3) costs for the interdisciplinary team program;~~

~~(4) costs for regional specialists in multiple disabilities;~~

~~(5) funds expended for training and programs to meet the needs of students with emotional or behavioral problems under subsection 2969(c) of this title; and~~

~~(6) funds expended for training under subsection 2969(d) of this title.~~

~~Third: In Sec. 9, Census-based Funding Advisory Group, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read:~~

~~(c) Powers and duties. The Advisory Group shall:~~

~~(1) advise the State Board of Education on the development of proposed rules to implement this act prior to the submission of the proposed rules to the Interagency Committee on Administrative Rules;~~

~~(2) advise the Agency of Education and supervisory unions on the implementation of this act;~~

~~(3) recommend to the General Assembly any statutory changes it determines are necessary or advisable to meet the goals of this act; and~~

~~(4) consider the State's special education maintenance of fiscal support requirements under federal law and supervisory unions' maintenance of effort requirements under federal law and recommend to the General Assembly and the Agency of Education options that may allow State and local special education spending in a manner that complies with these requirements while containing costs.~~

~~Fourth: In Sec. 9, Census-based Funding Advisory Group, by striking out subsection (h) in its entirety and inserting in lieu thereof a new subsection (h)~~

to read:

(h) Appropriation. Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the sum of \$6,400.00 is appropriated for fiscal year 2018 from the Education Fund to the Agency of Education to provide funding for the purposes set forth in this section.

Fifth: In Sec. 11, Education Weighting Report, in subsection (c), by striking out “February 15, 2019” and inserting in lieu thereof “March 15, 2019”

Sixth: In Sec. 11, Education Weighting Report, by striking out subsection (e) in its entirety and inserting in lieu thereof a new subsection (e) to read:

(e) Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the sum of \$300,000.00 is appropriated for fiscal year 2018 from the Education Fund to the Agency of Education to provide funding for the purposes set forth in this section. The Agency of Education shall contract with a contractor with expertise in Vermont’s education funding system to assist the Agency in producing the study required by this section. Any application of funds for the purpose of administrative overhead shall be capped at ten percent of the total sum allocated pursuant to this subsection.

Seventh: By striking out Sec. 12, Consulting services on the delivery of special education services, and its reader assistance, in their entirety and inserting in lieu thereof a new Sec. 12 with reader assistance, to read:

* * * Training and Technical Assistance on the Delivery of Special
Education Services * * *

Sec. 12. TRAINING AND TECHNICAL ASSISTANCE ON THE
DELIVERY OF SPECIAL EDUCATION SERVICES

(a) The Agency of Education shall, for the 2018-2019, 2019-2020, and 2020-2021 school years, assist supervisory unions to expand and improve their delivery of services to students who require additional supports in accordance with the report entitled “Expanding and Strengthening Best-Practice Supports for Students who Struggle” delivered to the Agency of Education in November 2017 from the District Management Group. This assistance shall include the training of teachers and staff and technical assistance.

(b) The sum of \$200,000.00 is appropriated from federal funds that are available under the Individuals with Disabilities Education Act for fiscal year 2019 to the Agency of Education, which the Agency shall administer in accordance with this section. The Agency shall include in its budget request to the General Assembly for each of fiscal years 2020 and 2021 the amount of \$200,000.00 from federal funds that are available under the Individuals with

Disabilities Education Act for administration in accordance with this section.

(c) The Agency of Education shall present to the General Assembly on or before December 15 in 2019, 2020, and 2021 a report describing what changes supervisory unions have made to expand and improve their delivery of services to students who require additional supports and describing the associated delivery challenges. The Agency shall share each report with all supervisory unions.

(Committee Vote 10-1-0)

Rep. Donovan of Burlington, for the Committee on Ways and Means, recommends the bill ought to pass when amended as recommended by the Committee on Appropriations and when further amended as follows:

First: In Sec. 9, Census-based Funding Advisory Group, by striking out subsection (h) in its entirety and inserting in lieu thereof a new subsection (h) to read:

(h) Appropriation. The sum of \$6,400.00 is appropriated for fiscal year 2018 from the General Fund to the Agency of Education to provide funding for the purposes set forth in this section.

Second: By striking the reader assistance preceding Sec. 10 in its entirety and inserting in lieu thereof a new reader assistance to read:

* * * Report on Methods to Further the Quality and Equity of Educational Outcomes for Students * * *

Third: By striking out Sec. 11 in its entirety and inserting in lieu thereof a new Sec. 11 to read:

Sec. 11. REPORT ON METHODS TO FURTHER THE QUALITY AND EQUITY OF EDUCATIONAL OUTCOMES FOR STUDENTS

(a) The Agency of Education, in consultation with the Secretary of Human Services, the Vermont Superintendents Association, the Vermont School Boards Association, and the Vermont-National Education Association, shall consider and make recommendations on the following:

(1) Methods, other than the use of per pupil weighting factors, that would further the quality and equity of educational outcomes for students.

(2) The criteria used for determining weighted long-term membership of a school district under 16 V.S.A. § 4010, including each of the following:

(A) The current weighting factors and any supporting evidence or basis in the historical record for these factors.

(B) The relationship between each of the current weighting factors

and the quality and equity of educational outcomes for students.

(C) Whether any of the weighting factors, including the weighting factors for students from economically deprived backgrounds and for students for whom English is not the primary language, should be modified, and if so, how the weighting factors should be modified and if the modification would further the quality and equity of educational outcomes for students.

(D) Whether to add any weighting factors, including a school district population density factor and a factor for students who attend regional career technical education centers, and if so, why the weighting factor should be added and if the weighting factor would further the quality and equity of educational outcomes for students. In considering whether to recommend the addition of a school district population density factor, the Agency of Education shall consider the practices of other states, information from the National Conference of State Legislatures, and research conducted by higher education institutions working on identifying rural or urban education financing factors.

(3) The criteria to be applied by the State Board of Education in its rulemaking process for increasing the amount of educational support grants paid by the State to supervisory unions in order to provide additional financial support to supervisory unions with relatively high costs due to the number of students who require additional support or the nature of the services required. The criteria shall include the qualification requirements for the adjustment and the manner in which the adjustment should be applied. In making this recommendation, the Agency of Education shall consider the report entitled “Study of Vermont State Funding for Special Education” issued in December 2017 by the University of Vermont Department of Education and Social Services.

(b) On or before March 15, 2019, the Agency of Education shall submit a written report to the House and Senate Committees on Education, the House Committee on Ways and Means, and the Senate Committee on Finance with its findings and any recommendations.

(c) The Agency of Education shall have the technical assistance of the Joint Fiscal Office and the Office of Legislative Council.

(d) Notwithstanding any provision to the contrary in 16 V.S.A. § 4025, the sum of \$300,000.00 is appropriated for fiscal year 2018 from the Education Fund to the Agency of Education to provide funding for the purposes set forth in this section. The Agency of Education shall contract with a contractor with expertise in Vermont’s education funding system to assist the Agency in producing the study required by this section. Any application of funds for the purpose of administrative overhead shall be capped at ten percent of the total sum allocated pursuant to this subsection.

(Committee Vote: 10-0-1)

NEW BUSINESS

Third Reading

H. 404

An act relating to Medicaid reimbursement for long-acting reversible contraceptives

H. 429

An act relating to establishment of a communication facilitator program

H. 560

An act relating to household products containing hazardous substances

H. 777

An act relating to the Clean Water State Revolving Loan Fund

H. 780

An act relating to the inspection of amusement rides

H. 785

An act relating to housing and affordability

H. 911

An act relating to changes in Vermont's personal income tax and education financing system

Amendment to be offered by Rep. Chesnut-Tangerman of Middletown Springs to H. 911

First: By striking out Sec. 20 (teachers' normal retirement) in its entirety and inserting in lieu thereof the following:

Sec. 20. [Deleted.]

Second: By striking out Secs. 15 and 16 (yield, applicable percentage and nonresidential rate for fiscal year 2019), and inserting in lieu thereof the following:

* * * Yields and Nonresidential Rate for Fiscal Year 2019 * * *

Sec. 15. PROPERTY DOLLAR EQUIVALENT YIELD AND INCOME

DOLLAR EQUIVALENT YIELD FOR FISCAL YEAR 2019

(a) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2019 only, the property dollar equivalent yield shall be \$11,002.00.

(b) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2019 only, the income

dollar equivalent yield shall be \$13,497.00.

Sec. 16. NONRESIDENTIAL PROPERTY TAX RATE FOR FISCAL YEAR
2019

Notwithstanding any other provision of law, for fiscal year 2019 only, the nonresidential education property tax imposed under 32 V.S.A. § 5402(a)(2) shall be \$1.591 per \$100.00.

Third: In Sec. 22 (effective dates), by striking out subsections (e) and (f) in their entirety and inserting in lieu thereof the following:

(e) Secs. 8-9 (general fund and education fund) and 15-16 (yield and nonresidential rate for fiscal year 2019) shall take effect on July 1, 2018 and apply to fiscal year 2019 and after.

(f) Secs. 10-14, 17-19, and 21 (education financing changes) shall take effect on July 1, 2019 and apply to fiscal year 2020 and after; except that:

(1) for fiscal year 2020 only, the base spending amount under 32 V.S.A. § 5401(17) shall be 92 percent of what it would otherwise be calculated to be;

(2) for fiscal year 2021 only, the base spending amount under 32 V.S.A. § 5401(17) shall be 96 percent of what it would otherwise be calculated to be.

Amendment to be offered by Rep. Scheuermann of Stowe to H. 911

First: By striking out Secs. 7-19 and 21-22 (education financing changes and effective dates) in their entirety, and any associated reader assistance headings, and inserting in lieu thereof the following:

* * * Education Financing Changes * * *

* * * Income Taxes * * *

Sec. 7. 32 V.S.A. § 5822a is added to read:

§ 5822a. SCHOOL INCOME TAX

(a) In addition to the income tax assessed under section 5822 of this title, there shall be imposed a school income tax on individual resident taxpayers based on the federally adjusted gross income for each taxpayer.

(1) For every individual filing status, except for married individuals filing separately and individuals filing single returns, the tax shall be imposed at the following rates:

(A) if the federally adjusted gross income of the taxpayer is \$35,000.00 or less, the tax rate shall be zero percent;

(B) if the federally adjusted gross income of the taxpayer is over \$35,000.00 but less than \$47,000.00, the tax rate shall be 0.40 percent;

(C) if the federally adjusted gross income of the taxpayer is \$47,000.00 or greater but less than \$125,000.00, the tax shall be \$48.00 plus 1.10 percent of the amount of federally adjusted gross income that is over \$47,000.00;

(D) if the federally adjusted gross income of the taxpayer is \$125,000.00 or greater, the tax shall be \$906.00 plus 1.25 percent of the amount of federally adjusted gross income that is over \$125,000.00; however,

(E) the tax shall not apply to any adjusted gross income of the taxpayer that exceeds \$4,000,000.00.

(2) For married individuals filing separately, the tax shall be imposed at the same rates under subdivisions (1)(A)–(D), but the income amounts for each bracket shall be one-half the amounts in subdivisions (1)(A)–(D).

(3) For individuals filing single returns, the tax shall be imposed at the following rates:

(A) if the federally adjusted gross income of the taxpayer is \$30,000.00 or less, the tax rate shall be zero percent;

(B) if the federally adjusted gross income of the taxpayer is over \$30,000.00 but less than \$47,000.00, the tax rate shall be 0.40 percent;

(C) if the federally adjusted gross income of the taxpayer is \$47,000.00 or greater but less than \$125,000.00, the tax shall be \$68.00 plus 1.10 percent of the amount of federally adjusted gross income that is over \$47,000.00;

(D) if the federally adjusted gross income of the taxpayer is \$125,000.00 or greater, the tax shall be \$926.00 plus 1.25 percent of the amount of federally adjusted gross income that is over \$125,000.00; however,

(E) the tax shall not apply to any adjusted gross income of the taxpayer that exceeds \$4,000,000.00.

(b) The school income tax shall be assessed and administered in the same manner as the personal income tax imposed under section 5822 of this title. The education income tax shall be assessed against each filer regardless of the filing status under section 5822.

* * * Allocation of Education Funds * * *

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

§ 4025. EDUCATION FUND

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

(1) ~~All~~ all revenue paid to the State from the statewide education tax on

nonresidential and homestead property under 32 V.S.A. chapter 135;

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

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

(4) 25 percent of the revenues from the rooms tax imposed by 32 V.S.A. § 9241(a) and from the meals tax imposed by 32 V.S.A. § 9241(b);

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

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

(7) Medicaid reimbursement funds pursuant to subsection 2959a(f) of this title; and

(8) revenues from the individual school income tax imposed by 32 V.S.A. § 5822a.

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

(1) To make payments to school districts and supervisory unions for the support of education in accordance with the provisions of section 4028 of this title, other provisions of this chapter, and the provisions of 32 V.S.A. chapter 135, ~~to make payments to carry out programs of adult education in accordance with section 945 of this title, and to provide funding for the community high school of Vermont.~~

(2) To cover the cost of fund auditing, of accounting, and of short-term borrowing to meet fund cash flow requirements.

~~(3) To make payments required under 32 V.S.A. § 6066(a)(1) and (2) and only that portion attributable to education taxes, as determined by the Commissioner of Taxes, of payments required under 32 V.S.A. § 6066(a)(3) and 6066(b).~~ The State Treasurer shall withdraw funds from the Education Fund upon warrants issued by the Commissioner of Finance and Management based on information supplied by the Commissioner of Taxes. The Commissioner of Finance and Management may draw warrants for

disbursements from the Fund in anticipation of receipts. All balances in the Fund at the end of any fiscal year shall be carried forward and remain a part of the Fund. Interest accruing from the Fund shall remain in the Fund.

(4) To make payments to the Vermont Teachers' Retirement Fund for the normal contribution in accordance with subsection 1944(c) of this title.

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

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

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

* * *

(5) Individual income taxes levied pursuant to chapter 151 of this title, except for the individual school income tax imposed by section 5822a of this title;

* * *

(7) Meals and rooms taxes levied pursuant to chapter 225 of this title, Seventy-five percent of the rooms tax levied under subsection 9241(a) of this title, 75 percent of the meals tax levied under subsection 9241(b) of this title, and all of the alcoholic beverage tax levied under subsection 9241(c) of this title;

* * *

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

* * *

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

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

§ 5401. DEFINITIONS

As used in this chapter:

* * *

(13)(A)(i) “Education For districts with education spending per equalized pupil that is equal to or in excess of the base spending amount, “education property tax spending adjustment” means ~~the greater of: one or a~~

fraction in which the numerator is the district's education spending ~~plus excess spending~~, per equalized pupil, ~~above the base spending amount~~ for the school year; and the denominator is the property dollar equivalent yield for the school year, as defined in subdivision (15) of this section.

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

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

* * *

(15) "Property dollar equivalent yield" means the amount of education spending per equalized pupil that would result if the homestead tax rate were \$1.00 \$0.25 per \$100.00 of equalized education property value, and the statutory reserves under 16 V.S.A. § 4026 and section 5402b of this title were maintained, calculated as if total statewide education spending per equalized pupil were equal to the total statewide education spending per equalized pupil minus the total statewide base spending amount per equalized pupil.

~~(16) "Income dollar equivalent yield" means the amount of spending per equalized pupil that would result if the income percentage in subdivision 6066(a)(2) of this title were 2.0 percent, and the statutory reserves under 16 V.S.A. § 4026 and section 5402b of this title were maintained. [Repealed.]~~

(17) "Base spending amount" means the amount that results from the following calculation:

(A) the sum of the total projected Education Fund revenue sources under 16 V.S.A. § 4025(a)(1)-(8) for the following fiscal year, plus any surplus from the prior fiscal year, minus the total projected amount of revenue raised by the statewide education homestead tax in the following fiscal year; minus

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

(C) the amount of revenue projected to be raised in the following fiscal year at a statewide education property tax rate of \$0.25 per \$100,00 of equalized homestead value; divided by

(C) the total projected count of equalized pupils in the following fiscal year.

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

§ 5402. EDUCATION PROPERTY TAX LIABILITY

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

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

(2) The tax rate for homestead property shall be ~~\$1.00 multiplied by \$0.25~~ plus the education property tax spending adjustment for the municipality per \$100.00 of equalized education property value as most recently determined under section 5405 of this title. The homestead property tax rate for each municipality ~~which~~ that is a member of a union or unified union school district shall be calculated as required under subsection (e) of this section.

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

* * *

(2) Taxes assessed under this section shall be assessed and collected in the same manner as taxes assessed under chapter 133 of this title with no tax classification other than as homestead or nonresidential property; provided, however, that the tax levied under this chapter shall be billed to each taxpayer by the municipality separately from any other tax assessed and collected under chapter 133.

* * *

(c) The treasurer of each municipality shall by December 1 of the year in which the tax is levied and on June 1 of the following year pay to the State Treasurer for deposit in the education fund one-half of the municipality's statewide nonresidential tax and one-half of the municipality's homestead education tax, as determined under subdivision (b)(1) of this section. The Secretary of Education shall determine the municipality's net nonresidential education tax payment and its net homestead education tax payment to the State based on grand list information received by the Secretary no later than the March 15 prior to the June 1 net payment. Payment shall be accompanied by a return prescribed by the Secretary of Education. The municipality may retain 0.225 of one percent of the total education property tax collected, only upon timely remittance of net payment to the State Treasurer. ~~The municipality may also retain \$15.00 for each late property tax adjustment claim filed after April 15 and before September 2, as notified by the Department of Taxes, for the cost of issuing a new property tax bill.~~

* * *

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

§ 5402b. STATEWIDE EDUCATION TAX YIELDS;
RECOMMENDATION OF THE COMMISSIONER; EDUCATION
OUTLOOK; BASE SPENDING AMOUNT

(a) Annually, ~~no later than~~ on or before December 1, the Commissioner of Taxes, after consultation with the Secretary of Education, the Secretary of Administration, and the Joint Fiscal Office, shall calculate and recommend a property dollar equivalent yield, ~~an income dollar equivalent yield,~~ and a nonresidential property tax rate for the following fiscal year. In making these calculations, the Commissioner shall assume:

(1) the homestead base tax rate in subdivision 5402(a)(2) of this title is ~~\$1.00~~ \$0.25 per \$100.00 of equalized education property value;

(2) ~~the applicable percentage in subdivision 6066(a)(2) of this title is 2.0;~~

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

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

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

(c) Annually, on or before December 1, the Joint Fiscal Office shall prepare and publish an official, annotated copy of the Education Fund Outlook. The Emergency Board shall review the Outlook at its meetings. As used in this section, "Education Fund Outlook" means the projected revenues and expenses associated with the Education Fund for the following fiscal year, including projections of different categories of educational expenses and costs.

(d) Annually, on or about January 15, the Joint Fiscal Office and Secretary of Administration shall provide to the Emergency Board a calculation of the base spending amount for the upcoming fiscal year. The Emergency Board shall review the calculation at its January meeting and shall adopt a base spending amount for the upcoming fiscal year.

* * * Property Tax Adjustments * * *

Sec. 13. 32 V.S.A. chapter 154 is amended to read:

CHAPTER 154. HOMESTEAD PROPERTY TAX INCOME
SENSITIVITY ADJUSTMENT RELIEF

§ 6061. DEFINITIONS

The following definitions shall apply throughout this chapter unless the context requires otherwise:

(1) “Adjustment” means ~~an adjustment of statewide or local share property tax liability or a homestead owner or renter credit, as authorized under section 6066 of this title, as the context requires;~~

(A) an exemption of a percentage of equalized housesite value as calculated under subdivision 6066(a)(1) of this title;

(B) a reduction in municipal taxes based on income as calculated under subdivision 6066(a)(3) of this title; or

(C) a renter credit as calculated under subdivision 6066(b) of this title.

* * *

(14) “Statewide education tax rate” means the homestead education property tax rate ~~multiplied by~~ plus the municipality’s education spending adjustment under subdivision 5402(a)(2) of this title and used to calculate taxes assessed in the municipal fiscal year ~~which~~ that began in the taxable year.

(15) “Adjusted property tax” means the amount of education and municipal property taxes on the homestead parcel after reduction for any ~~property tax~~ adjustment under section 6066a of this chapter.

(16) “Unadjusted property tax” means the amount of education and municipal property taxes on the homestead parcel before any reduction for a ~~property tax~~ an adjustment under section 6066a of this chapter.

(17) “Equalized value of the housesite in the taxable year” means the value of the housesite on the grand list for April 1 of the taxable year, divided by the municipality’s common level of appraisal determined by equalization of the grand list for April 1 of the year preceding the taxable year.

* * *

§ 6063. CLAIM AS PERSONAL; ADJUSTMENT AMOUNT AT TIME OF
TRANSFER

(a) The right to file a claim under this chapter is personal to the claimant and shall not survive his or her death, but the right may be exercised on behalf of a claimant by his or her legal guardian or attorney-in-fact. When a claimant dies after having filed a timely claim, the ~~property tax adjustment amount~~ shall

be credited to the homestead or municipal property tax liability of the claimant's estate, as provided in section 6066a of this title.

(b) In case of sale or transfer of a residence, any ~~property tax~~ adjustment amounts related to that residence shall be allocated to the seller at closing unless the parties otherwise agree.

§ 6064. CLAIM APPLIED AGAINST OUTSTANDING LIABILITIES

The amount of any ~~property tax~~ adjustment ~~amount~~ resulting under this chapter may be applied by the Commissioner, beginning on July 1 of the calendar year in which the claim is filed, against any State tax liability outstanding against the claimant.

§ 6065. FORMS; TABLES; NOTICES

(a) In administering this chapter, the Commissioner shall provide suitable claim forms with tables of allowable claims, instructions, and worksheets for claiming a ~~homestead property tax~~ an adjustment.

(b) Prior to June 1, the Commissioner shall also prepare and supply to each town in the State notices describing the ~~homestead property tax adjustment adjustments under this chapter~~, for inclusion in property tax bills. A town shall include ~~such the~~ notice in each tax bill and notice of delinquent taxes ~~which that~~ it mails to taxpayers who own in that town a homestead as defined in subdivision 5401(7) of this title.

(c) Notwithstanding the provisions of subsection (b) of this section, towns ~~which that~~ use envelopes or mailers not able to accommodate notices describing the ~~homestead tax adjustment adjustments in this chapter~~ may distribute ~~such the~~ notices in an alternative manner.

§ 6066. COMPUTATION OF ADJUSTMENT; EXEMPTION AMOUNT;
MUNICIPAL TAXES; RENTER REBATE

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

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

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

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

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

~~(II) the statewide education tax rate, multiplied by the~~

~~equalized value of the housesite in the taxable year in excess of \$250,000.00.~~

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

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

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

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

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

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

~~(2) "Income percentage" in this section means two percent, multiplied by the education income tax spending adjustment under subdivision 5401(13)(B) of this title for the property tax year which begins in the claim year for the municipality in which the homestead residence is located.~~

(1) For a claimant whose household income does not exceed \$47,000.00, the adjustment shall be an exemption of the equalized value of the housesite for purposes of calculating the statewide homestead education property tax in the upcoming fiscal year. The exemption shall be equal to a percentage of the first \$400,000.00 in equalized value of the housesite in the taxable year. The percentage of the first \$400,000.00 in equalized value of the housesite under this subdivision shall be determined as follows:

(A) for claimants with less than \$10,000.00 in household income in the taxable year, the percentage shall be 93 percent;

(B) for claimants with \$10,000.00 to \$19,999.99 in household income in the taxable year, the percentage shall be 82 percent;

(C) for claimants with \$20,000.00 to \$29,999.99 in household income in the taxable year, the percentage shall be 61 percent;

(D) for claimants with \$30,000.00 to \$39,999.99 in household income in the taxable year, the percentage shall be 40 percent;

(E) for claimants with \$40,000.00 to \$47,000.00 in household income in the taxable year, the percentage shall be 22 percent.

(2) For claimants whose household income exceeds \$47,000.00 in the taxable year, there shall be no exemption under this subdivision (1).

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

If household income (rounded to the nearest dollar) is:	then the taxpayer is entitled to credit for the reduced property tax in excess of this percent of that income:
\$0.00 - 9,999.00	2.0 <u>1.20</u>
\$10,000.00 - 24,999.00	4.5 <u>3.15</u>
\$25,000.00 - 47,000.00	5.0 <u>3.50</u>

(4) In no event shall the credit provided for in subdivision (3) of this subsection exceed the amount of the reduced property tax.

* * *

§ 6066a. DETERMINATION OF ~~PROPERTY TAX~~ ADJUSTMENTS

(a) Annually, the Commissioner shall determine the ~~property tax~~ adjustment amount under section 6066 of this title, related to a homestead owned by the claimant. The Commissioner shall notify the municipality in which the housesite is located of the amount of the ~~property tax~~ adjustment for the claimant for homestead property tax liabilities on July 1 for timely filed claims and on November 1 for late claims filed by on or before October 15. The ~~tax~~ adjustment of a claimant who was assessed property tax by a town which that revised the dates of its fiscal year, however, is the excess of the property tax ~~which that~~ was assessed in the last 12 months of the revised fiscal year, over the adjusted property tax of the claimant for the revised fiscal year as determined under section 6066 of this title, related to a homestead owned by the claimant.

(b) The Commissioner shall include in the total ~~property tax~~ adjustment amount determined under subsection (a) of this section, for credit to the taxpayer for homestead property tax liabilities, any income tax overpayment remaining after allocation under section 3112 of this title and setoff under section 5934 of this title, which the taxpayer has directed to be used for

payment of property taxes.

* * *

(d) For late claims filed after April 15, the ~~property tax~~ adjustment amount shall be reduced by \$15.00.

(e) At the time of notice to the municipality, the Commissioner shall notify the taxpayer of the ~~property tax~~ adjustment amount determined under subdivision 6066(a)(1) of this title; the amount determined under subdivision 6066(a)(3) of this title; any additional adjustment amounts due the homestead owner under section 6066 of this title; the amount of income tax refund, if any, allocated to payment of homestead property tax liabilities; and any late-claim reduction amount.

(f) Property tax bills.

(1) For taxpayers and amounts stated in the notice to towns on July 1, municipalities shall create and send to taxpayers a homestead property tax bill, instead of the bill required under subdivision 5402(b)(1) of this title, providing the total amount allocated to payment of homestead education property tax liabilities and notice of the balance due. Nothing in this subdivision, however, shall be interpreted as altering the requirement under subdivision 5402(b)(1) of this title that the statewide education homestead tax be billed separately from any other tax. Municipalities shall apply the amount allocated under this chapter to current-year property taxes in equal amounts to each of the taxpayers' property tax installments that include education taxes. Notwithstanding section 4772 of this title, if a town issues a corrected bill as a result of the November 1 notice sent by the Commissioner under subsection (a) of this section, issuance of ~~such the~~ corrected new bill does not extend the time for payment of the original bill, nor relieve the taxpayer of any interest or penalties associated with the original bill. If the corrected bill is less than the original bill, and there are also no unpaid ~~current-year~~ current-year taxes, interest, or penalties and no ~~past-year~~ past-year delinquent taxes or penalties and interest charges, any overpayment shall be reflected on the corrected tax bill and refunded to the taxpayer.

(2) For ~~property tax~~ adjustment amounts for which municipalities receive notice after November 1, municipalities shall issue a new homestead property tax bill with notice to the taxpayer of the total amount allocated to payment of homestead property tax liabilities and notice of the balance due.

(3) The ~~property tax~~ adjustment amount determined for the taxpayer shall be allocated first to current-year property tax on the homestead parcel, next to current-year homestead parcel penalties and interest, next to any ~~prior year~~ prior-year homestead parcel penalties and interest, and last to any ~~prior~~

~~year~~ prior-year property tax on the homestead parcel. No adjustment shall be allocated to a property tax liability for any year after the year for which the claim or refund allocation was filed. No municipal tax-reduction incentive for early payment of taxes shall apply to any amount allocated to the property tax bill under this chapter.

(4) If the ~~property tax~~ adjustment amount as described in subsection (e) of this section exceeds the property tax, penalties, and interest, due for the current and all prior years, the municipality shall refund the excess to the taxpayer, without interest, within 20 days of the first date upon which taxes become due and payable or 20 days after notification of the adjustment amount by the Commissioner of Taxes, whichever is later.

(g) Annually, on August 1 and on November 1, the Commissioner of Taxes shall pay to each municipality ~~the amount of property tax adjustment~~ an amount equal to the adjustments under subdivision 6066(a)(3) of this title of which the municipality was notified on July 1 for the August 1 transfer, or November 1 for the November 1 transfer, related to municipal property tax on homesteads within that municipality, as determined by the Commissioner of Taxes.

§ 6067. CREDIT LIMITATIONS

Only one individual per household per taxable year shall be entitled to a benefit under this chapter. An individual who received a homestead exemption or adjustment with respect to property taxes assessed by another state for the taxable year shall not be entitled to receive an adjustment under this chapter. No taxpayer shall receive an adjustment under subdivision 6066(a)(3) of this title in excess of \$2,400.00 No taxpayer shall receive an adjustment under subsection 6066(b) of this title in excess of \$3,000.00. ~~No taxpayer shall receive total adjustments under this chapter in excess of \$8,000.00 related to any one property tax year.~~

§ 6068. APPLICATION AND TIME FOR FILING

(a) ~~A tax~~ An adjustment claim or request for allocation of an income tax refund to homestead property tax payment shall be filed with the Commissioner on or before the due date for filing the Vermont income tax return, without extension, and shall describe the school district in which the homestead property is located and shall particularly describe the homestead property for which the adjustment or allocation is sought, including the school parcel account number prescribed in subsection 5404(b) of this title. A renter rebate claim shall be filed with the Commissioner on or before the due date for filing the Vermont income tax return, without extension.

(b) Late-filing penalties. If the claimant fails to file a timely claim, the

amount of the ~~property tax~~ adjustment under this chapter shall be reduced by \$15.00, but not below \$0.00, which shall be paid to the municipality for the cost of issuing an adjusted homestead property tax bill. No benefit shall be allowed in the calendar year unless the claim is filed with the Commissioner on or before October 15.

(c) No request for allocation of an income tax refund or for a renter rebate claim may be made after October 15.

* * *

* * * Yield, Applicable Percentage and Nonresidential Rate for
Fiscal Year 2019 * * *

Sec. 14. PROPERTY DOLLAR EQUIVALENT YIELD AND APPLICABLE
PERCENTAGE FOR FISCAL YEAR 2019

(a) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2019 only, the property dollar equivalent yield shall be \$9,832.00.

(b) Pursuant to 32 V.S.A. § 5402b(b), for fiscal year 2019 only, the income dollar equivalent yield shall be \$11,880.00.

Sec. 15. NONRESIDENTIAL PROPERTY TAX RATE FOR FISCAL YEAR
2019

Notwithstanding any other provision of law, for fiscal year 2019 only, the nonresidential education property tax imposed under 32 V.S.A. § 5402(a)(2) shall be \$1.591 per \$100.00.

* * * Excess Spending * * *

Sec. 16. REPEALS

The following are repealed:

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

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

Sec. 17. 16 V.S.A. § 4011(i) is amended to read:

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

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

(2) a statewide comparison of student-teacher ratios among schools that

are similar in number of students and number of grades.

Sec. 18. 24 V.S.A. § 2804(b) is amended to read:

~~(b) If a reserve fund is established under subsection (a) of this section to pay a school district's future school capital construction costs approved under 16 V.S.A. chapter 123, any funds raised by the district as part of its education spending to pay for those future costs shall be considered "approved school capital construction spending" in calculating excess spending under 32 V.S.A. § 5401(12). Districts shall submit to the Agency of Education annually a report of deposits into and expenditures from a school capital construction reserve fund. If the Agency of Education determines that any amount in the reserve fund has not been used for approved school capital construction within five years after deposit into the fund, then 150 percent of that amount shall be added to the district's education spending in the then-current year for purposes of calculating the excess spending penalty. The definitions in 16 V.S.A. chapter 133 shall apply to this subsection.~~

* * * Repeal of Act 46 Rate Limitations * * *

Sec. 19. REPEAL

2015 Acts and Resolves No. 46, Secs. 6(b)(1)(C) and 7(b)(1)(c) (five percent provision for tax incentives) are repealed.

Second: After Sec. 20 (teachers' normal retirement), by inserting a new Sec. 21 to read as follows:

* * * Effective Dates; Transition * * *

Sec. 21. EFFECTIVE DATES AND TRANSITION

(a) This section shall take effect on passage.

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

(c) Notwithstanding 1 V.S.A. § 214, Sec. 6a (annual update of income tax link to the IRC) shall take effect retroactively on January 1, 2017 and apply to taxable years beginning on January 1, 2017 and after.

(d) Sec. 7 (school income taxes) shall take effect on January 1, 2019 and apply to taxable year 2019 and after; provided, however, that notwithstanding any other provision of law, for taxable year 2019 only, no interest or penalty shall be assessed for the underpayment of estimated tax for any individual taxpayer resulting from a liability to pay the school income tax imposed under 32 V.S.A. § 5822a.

(c) Secs. 8 (Education Fund) and 9 (General Fund) shall take effect on

July 1, 2019 and apply to fiscal year 2020 and after.

(d) Secs. 10–12 (calculation of rates), 13 (property tax adjustments), 16–18 (excess spending), 19 (repeals), and 20 (teachers’ normal retirement) shall take effect on July 1, 2019 and apply to fiscal year 2020 and after.

(e) Secs. 14–15 (yield and nonresidential rate for fiscal year 2019) shall take effect on July 1, 2018 and apply to fiscal year 2019 and after.

Amendment to be offered by Rep. Turner of Milton to H. 911

First: By striking out Sec. 7 (school income tax surcharge) in its entirety and inserting in lieu thereof the following:

Sec. 7. [Deleted.]

Second: In Sec. 8 (education fund), in subsection (a), in subdivision (7), by striking out “; and”, and by striking subdivision (8) up to the period

Third: In Sec. 9 (general fund), in subsection (b), in subdivision (5), by striking out “, except for the individual school income tax surcharge imposed by section 5822a of this title”

Fourth: In Sec. 10, 32 V.S.A. § 5401 (definitions), in subdivision (17)(A), in the citation “16 V.S.A. § 4025(a)(1)-(8)”, by striking out “(8)” and inserting in lieu thereof “(7)”

Fifth: In Sec. 15 (property dollar equivalent yield and base income percentage), in subsection (a), by striking out “8,500.00” and inserting in lieu thereof “6,375.00”

Sixth: In Sec. 22 (effective dates), by striking out subsection (d) in its entirety and inserting in lieu thereof the following:

(d) [Deleted.]

H. 913

An act relating to boards and commissions

H. 917

An act relating to the Transportation Program and miscellaneous changes to transportation-related law

H. 920

An act relating to the authority of the Agency of Digital Services

Amendment to be offered by Rep. Carr of Brandon to H. 920

In Sec. 5, 3 V.S.A. chapter 56, in § 3301, in subdivision (a)(4), after “submit”, by striking out the word “biannually” and by inserting in lieu thereof

“biennially”; and in subdivision (a)(9), after “government”, by striking out the word “within” and by inserting in lieu thereof the phrase “in collaboration with” .

H. 921

An act relating to nursing home oversight

S. 169

An act relating to nonresident clergy authorized to solemnize marriages

S. 291

An act relating to the annual town meeting of the unified towns and gores of Essex County and to the appraisers and supervisors of all unorganized towns and gores

Committee Bill for Second Reading

H. 922

An act relating to making numerous revenue changes.

(Rep. Young of Glover will speak for the Committee on Ways and Means.)

Favorable with Amendment

H. 899

An act relating to fees for records filed in town offices and a town fee report and request.

(Rep. Gannon of Wilmington will speak for the Committee on Government Operations.)

Rep. Browning of Arlington, for the Committee on Ways and Means, recommends the bill ought to pass when amended as follows:

By striking out Sec. 1 in its entirety and inserting in lieu thereof the following:

Sec. 1. 32 V.S.A. § 1671 is amended to read:

§ 1671. TOWN CLERK FEES RELATED TO RECORDS; RESERVE FUND

(a) For the purposes of this section, a “page” is defined as a single side of a leaf of paper on which is printed, written, or otherwise placed information to be recorded or filed. The maximum covered area on a page shall be 7 1/2 inches by 14 inches. All letters shall be at least one-sixteenth inch in height or in at least eight point type. Unless otherwise provided by law, the fees to town clerks shall be as follows:

(1) For recording a trust mortgage deed as provided in 24 V.S.A. § 1155, ~~\$10.00 per page; \$25.00 for the first page, of which \$10.00 shall be reserved and deposited in the town's Restoration Reserve Fund, and \$8.00 for each additional page.~~

(2) For filing or recording a copy of a complaint to foreclose a mortgage as provided in 12 V.S.A. § 4523(b), ~~\$10.00 per page; \$25.00 for the first page, of which \$10.00 shall be reserved and deposited in the town's Restoration Reserve Fund, and \$8.00 for each additional page.~~

(3) For examination of records by town clerk, a fee of \$5.00 per hour may be charged but not more than \$25.00 for each examination on any one calendar day;

(4) For examination of records by others, a fee of \$2.00 per hour may be charged;

(5) ~~Town clerks may require fees for all filing, recording, and copying to be paid in advance; [Repealed.]~~

(6)(A) ~~For~~ Except as provided in subdivisions (B) and (C) of this subdivision (6), for the recording or filing, or both, of any document that is to become a matter of public record in the town clerk's office, or for any certified copy of such document, a fee of \$10.00 per page shall be charged; except that for \$25.00 for the first page, of which \$10.00 shall be reserved and deposited in the town's Restoration Reserve Fund, and \$8.00 for each additional page shall be charged.

(B) For the recording or filing, or both, of a property transfer return, a flat fee of \$10.00 \$25.00 shall be charged; of which \$10.00 shall be reserved and deposited in the town's Restoration Reserve Fund.

(C) For the recording or filing, or both, of documents issued by a municipal officer, employee, or entity, including land use permits, certificates of compliance or occupancy, and notices of violation, a flat fee of \$15.00 shall be charged.

(7) For uncertified copies of records and documents on file, or recorded, a fee of \$1.00 per page shall be charged, with a minimum fee of \$2.00; however, copies of minutes of municipal meetings or meetings of local boards and commissions, copies of grand lists and checklists and copies of any public records that any agency of that political subdivision has deposited with the clerk shall be available to the public at actual cost;

(8) For survey plats filed in accordance with 27 V.S.A. chapter 17, a fee of ~~\$15.00 per 11 inch by 17 inch sheet, \$15.00 per 18 inch by 24 inch sheet, and \$15.00 per 24 inch by 36 inch~~ \$25.00 per sheet shall be charged, of which \$5.00 per sheet shall be reserved and deposited in the town's Restoration

Reserve Fund.

(b)(1) A schedule of all fees shall be posted in the town clerk's office.

(2) A town clerk may return any record presented for filing or recording if the record is not accompanied by the correct fee.

(3) A town clerk may require fees for all filing, recording, and copying to be paid in advance.

(c)(1) The legislative body ~~may create~~ shall maintain a Restoration Reserve Fund of ~~no less than \$0.50 per page and no more than \$1.00 per page from recording into which shall be deposited:~~

(A) fees established under reserved for the Fund pursuant to subdivisions (a)(1) and, (a)(2), (a)(6), and (a)(8) of this section;

(B) any additional fees collected under this section that the legislative body may approve for deposit into the Fund; and

(C) any other municipal revenues approved for deposit into the Fund.

(2)(A) ~~The Monies in the Restoration Reserve Fund shall be used solely for restoration, preservation, and conservation of municipal records. Permitted uses of Fund monies may include:~~

(i) the purchase of hardware or software related to carrying out these activities in a manner that is consistent with legal requirements; and

(ii) the acquisition or maintenance of safes or vaults as required under 24 V.S.A. § 1178.

(B) If a municipality has previously established the Fund, no additional action will be required.

~~(d) A legislative body may establish or abolish a Restoration Reserve Fund only by affirmative vote at a legally warned meeting of the legislative body. Nothing in this section shall preclude the legislative body of a municipality from committing funds to a approving for deposit into the Restoration Reserve Fund monies collected under this section that are in addition to those funds in monies reserved to the Fund under subsection (c) of this section.~~

(Committee Vote 9-0-2)

**NOTICE CALENDAR
Committee Bill for Second Reading
H. 923**

An act relating to capital construction and State bonding budget adjustment.

(Rep. Emmons of Springfield will speak for the Committee on Corrections and Institutions.)

H. 924

An act relating to making appropriations for the support of government.
(Rep. Toll of Danville will speak for the Committee on Appropriations.)

Ordered to Lie

H. 167

An act relating to alternative approaches to addressing low-level illicit drug use.

Pending Question: Shall the House concur in the Senate proposal of amendment?

H. 219

An act relating to the Vermont spaying and neutering program.

Pending Question: Shall the House concur in the Senate proposal of amendment?

S. 103

An act relating to the regulation of toxic substances and hazardous materials.

Pending Question: Shall the House concur in the Senate proposal of amendment to the House proposal of amendment??

S. 267

An act relating to timing of a decree nisi in a divorce proceeding.

Pending Question: Second reading?

Public Hearings

**House Appropriations Committee
Members' amendments to Fiscal Year 2019
Proposed Omnibus Appropriations Bill (H.924)**

The House Committee on Appropriations requests all members of the House, who intend to introduce amendments to the proposed FY 2019 omnibus appropriations bill (H.924), to meet with the committee **in Room 42 at 8:30a.m. on Thursday, March 22, before 2nd reading**, OR at **8:30 a.m. on Friday, March 23, before 3rd reading**. Schedule a time with Theresa Utton-Jerman at tutton@leg.state.vt.us, 828-5767 or Room: 40 to meet with the Committee.

In addition, please notify the Chair or Vice-Chair as soon as possible if you intend to offer an amendment.