

House Calendar

Tuesday, April 03, 2018

91st DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

TABLE OF CONTENTS

Page No.

NOTICE CALENDAR

Favorable with Amendment

H. 548 Limiting additional TIF districts.....	1300
Rep. Marcotte for Commerce and Economic Development	
Rep. Wright for Ways and Means.....	1302
H. 925 Approval of amendments to the charter of the City of Barre.....	1304
Rep. Lewis for Government Operations	

Senate Proposal of Amendment

H. 611 Compensation for victims of crime.....	1304
H. 693 The Honor and Remember Flag.....	1304
H. 836 Electronic court filings for relief from abuse orders.....	1305

Ordered to Lie

H. 167 Alternative approaches to addressing low-level illicit drug use.....	1306
H. 219 The Vermont spaying and neutering program.....	1306
S. 267 An act relating to timing of a decree nisi in a divorce proceeding..	1306

ORDERS OF THE DAY

NOTICE CALENDAR

Favorable with Amendment

H. 548

An act relating to limiting additional TIF districts

Rep. Marcotte of Coventry, for the Committee on Commerce and Economic Development, recommends the bill be amended as follows:

By striking out Sec. 2, effective date, in its entirety and inserting after Sec. 1 the following:

Sec. 2. TAX INCREMENT FINANCING; METRICS; REPORT

(a) On or before December 15, 2018, the Vermont Economic Progress Council, in consultation with the Agency of Commerce and Community Development, the Department of Taxes, the State Auditor, the consulting Legislative Economist, and the Joint Fiscal Office, shall develop metrics to evaluate:

(1) the regional and statewide economic impact of existing tax increment financing districts; and

(2) the projected regional and statewide economic benefits that would result from a newly created tax increment financing district.

(b) On or before January 15, 2019, the Vermont Economic Progress Council shall prepare and present to the House Committees on Commerce and Economic Development and on Ways and Means, and the Senate Committees on Economic Development, Housing and General Affairs and on Finance draft legislation incorporating the metrics described in subsection (a) of this section as part of the criteria used to evaluate a municipality's application for a tax increment financing district.

Sec. 3. TAX INCREMENT FINANCING; SMALL TOWN; STUDY

(a) On or before January 15, 2019, the Agency of Commerce and Community Development, in consultation with interested stakeholders, shall study the creation of a tax increment financing program or alternative economic development tool that achieves a similar goal that would be targeted at promoting economic development and affordable housing in towns with a population at or below 4,000. The study may include:

(1) options for how to sustain a tax increment financing district or alternative economic development program in towns with a small tax base; and

(2) a consideration of whether a population size at or below 4,000 would be appropriate for the program.

(b) The Secretary of Commerce and Community Development shall submit a report to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance with recommendations on the feasibility of the program described in subsection (a) of this section, and if feasible, how the program would be implemented.

Sec. 4. 24 V.S.A. § 1892 is amended to read:

§ 1892. CREATION OF DISTRICT

* * *

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

~~(1) an assessment of any material changes from the initial report concerning TIFs and other tools and an assessment of the health and sustainability of the tax increment financing system in Vermont;~~

~~(2) short-term and long-term projections on the positive and negative fiscal impacts of the TIF districts or other tools, as applicable, that are currently active or authorized in the State;~~

~~(3) a review of the size and affordability of the net indebtedness for TIF districts and an estimate of the maximum amount of new long-term net debt that prudently may be authorized for TIF districts or other tools in the next fiscal year. [Repealed.]~~

~~(h) Annually, based on the analysis and recommendations included in the reports required in this section, the General Assembly shall consider the amount of new long-term net debt that prudently may be authorized for TIF districts in the next fiscal year and determine whether to expand the number of TIF districts or similar economic development tools in addition to the previously approved districts referenced in subsection (d) of this section and the six additional districts authorized by 32 V.S.A. § 5404a(f). [Repealed.]~~

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to tax increment financing districts”

(Committee Vote: 9-1-1)

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

By striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. TAX INCREMENT FINANCING; METRICS; REPORT

(a) On or before December 15, 2018, the Vermont Economic Progress Council, in consultation with the Agency of Commerce and Community Development, the Department of Taxes, the State Auditor, the consulting Legislative Economist, and the Joint Fiscal Office, shall develop metrics to evaluate:

(1) the local economic impact of existing tax increment financing districts and the projected local economic benefits that would result from a newly created tax increment financing district;

(2) the regional economic impact of existing tax increment financing districts and the projected regional economic benefits that would result from a newly created tax increment financing district; and

(3) the statewide economic impact of existing tax increment financing districts and the projected statewide economic benefits that would result from a newly created tax increment financing district.

(b) On or before January 15, 2019, the Vermont Economic Progress Council shall prepare and present to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance draft legislation incorporating the metrics described in subsection (a) of this section as part of the criteria used to evaluate a municipality’s application for a tax increment financing district.

Sec. 2. VERMONT ECONOMIC PROGRESS COUNCIL; ECONOMIC DEVELOPMENT; STUDY

(a) On or before January 15, 2019, the Vermont Economic Progress Council, in consultation with interested stakeholders, shall study the creation

of a statewide economic development tool that achieves the same goals of the tax increment financing program of promoting economic development and expanding affordable housing, but that does not utilize resources from the Education Fund. The study shall include options for how to sustain such an economic development program in towns with both small and large populations.

(b) The Secretary of Commerce and Community Development shall submit a report to the House Committees on Commerce and Economic Development and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs and on Finance with recommendations on the feasibility of the program described in subsection (a) of this section, and if feasible, how the program would be implemented.

Sec. 3. 24 V.S.A. § 1892 is amended to read:

§ 1892. CREATION OF DISTRICT

* * *

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

* * *

(h) Annually Beginning in 2021 and every four years thereafter, based on the analysis and recommendations included in the reports required in this section, the General Assembly shall consider the amount of new long-term net debt that prudently may be authorized for TIF districts in the next fiscal year and determine whether to expand the number of TIF districts or similar economic development tools in addition to the previously approved districts referenced in subsection (d) of this section and the six additional districts authorized by 32 V.S.A. § 5404a(f).

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating

to tax increment financing districts”

(**Committee Vote: 10-0-1**)

H. 925

An act relating to approval of amendments to the charter of the City of Barre

Rep. Lewis of Berlin, for the Committee on Government Operations, recommends the bill be amended as follows:

In Sec. 2, 24 App. V.S.A. chapter 1, in subchapter 6, § 605, in subsection (b), following “administered by the Department of Taxes, in accordance with” by striking out “State law governing such State tax” and inserting in lieu thereof “24 V.S.A. § 138” before the period

and by striking out subsection (c) in its entirety and relettering the remaining subsection to be alphabetically correct

(**Committee Vote: 7-0-4**)

Senate Proposal of Amendment

H. 611

An act relating to compensation for victims of crime

The Senate proposes to the House to amend the bill as follows:

In Sec. 1, 13 V.S.A. § 5357, by amending the last sentence to read as follows:

Such subrogation shall be against ~~the perpetrator of the crime~~ or any person liable for the pecuniary loss.

(For text see House Journal January 30, 2018)

H. 693

An act relating to the Honor and Remember Flag

The Senate proposes to the House to amend the bill by striking all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 1 V.S.A. § 496a is added to read:

§ 496a. HONOR AND REMEMBER FLAG

The Honor and Remember Flag is designated as the flag that recognizes those Vermonters who died during or as the result of serving on active duty in

the U.S. Armed Forces. This designation will recognize their bravery and educate Vermonters about the sacrifices their fellow citizens have made to protect our nation. The Department of Buildings and General Services shall establish a protocol for the flying of the Honor and Remember Flag and may accept donations of the flag to be flown on State-owned flagpoles. The Honor and Remember Flag may be flown on State-owned and municipally owned flagpoles, including those at military facilities, war memorials, and veterans cemeteries on such days as the Department of Buildings and General Services shall designate in the protocol.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(For text see House Journal February 20, 2018)

H. 836

An act relating to electronic court filings for relief from abuse orders

The Senate proposes to the House to amend the bill as follows:

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

Sec. 1. LEGISLATIVE INTENT

This act permits relief from abuse orders to be obtained electronically in certain circumstances when courts are closed while enhancing the safety of all parties involved.

Second: In Sec. 2, 15 V.S.A. § 1106, by striking out subdivision (b)(2)(C) and inserting in lieu thereof a new subdivision (b)(2)(C) to read as follows:

(C) The affidavit shall be sworn to or affirmed by administration of the oath over the telephone to the applicant by the authorized person, and shall conclude with the following statement: "I declare under the penalty of perjury pursuant to the laws of the State of Vermont that the foregoing is true and accurate. I understand that the penalty for perjury is imprisonment of not more than 15 years or a fine of not more than \$10,000.00, or both." The authorized person shall note on the affidavit the date and time that the oath was administered.

(For text see House Journal February 28, 2018)

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. 267

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

Pending Question: Second reading?

Public Hearings

Thursday, April 5, 2018, Public Hearing on the Minimum Wage (S.40), room 11, 5:00-7:00 PM, held by the House committee on General, Housing, and Military Affairs.

April 10, 2018, Public Hearing on H.196, An act relating to paid family leave, Room 11, 5:00-7:00 PM, Held by Senate Committee on Economic Development, Housing, and General Affairs

SENATE APPROPRIATIONS COMMITTEE

H.924 (FY 2019 Budget)

ADVOCATES TESTIMONY

On **Wednesday, April 4, 2018 from 3:00-4:30 pm**, the Senate Appropriations Committee will be taking testimony from advocates regarding the Fiscal Year 2019 Budget (H.924) in Room 10 of the State House. **All available time slots have been filled.** To submit written testimony to the committee please contact Becky Buck at the Legislative Joint Fiscal Office located at 1 Baldwin Street (phone:828-5969) or via email at: rbuck@leg.state.vt.us