

1 Introduced by Committee on Education

2 Date:

3 Subject: Education; increased flexibility for school district mergers; State  
4 Board of Education

5 Statement of purpose of bill as introduced: This bill proposes to: (1) provide  
6 greater flexibility for school district consolidation by providing tax incentives  
7 for a side-by-side regional educational district structure where one side does  
8 not operate all elementary and secondary grades; (2) provide greater flexibility  
9 for school district consolidation by providing tax incentives for a side-by-side  
10 regional educational district structure where three or more school districts  
11 merge and the newly merged district, together with a preexisting district, are  
12 members of the same supervisory union at the completion of the process; (3)  
13 provide greater flexibility for a school district that meets certain conditions to  
14 withdraw from a union high school district without approval by the remaining  
15 members of the union high school district; (4) extend the final date for voter  
16 approval of a merger and the date by which a school district is required to  
17 make a governance proposal to the Secretary of Education for a school district  
18 that has previously had a merger proposal rejected by voters or wishes to add a  
19 new school district as a member of its study committee; (5) provide transition  
20 facilitation grants to all school districts that consolidate into a preferred  
21 governance structure and to a district that has consolidated and, at the request

1 of the State Board of Education, merges with another district; (6) allow fees for  
2 consulting services to be used by a study committee recommending  
3 consolidation for the cost of community outreach; (7) require the State Board  
4 of Education to act on applications for supervisory union adjustments within  
5 60 days of receipt; (8) make certain technical and clarifying changes; (9)  
6 eliminate the authority of the State Board of Education to propose candidates  
7 to the Governor for the office of Secretary of Education; (10) require that two  
8 members of the State Board of Education be representatives of approved  
9 independent schools; (11) reduce the term of office of the members of the State  
10 Board of Education from six years to four years; (12) clarify the State Board of  
11 Education's authority to adopt rules for the approval of independent schools;  
12 (13) nullify the proposed amendments to the rules governing approval of  
13 independent schools initiated by the State Board of Education on  
14 November 13, 2015; and (14) create a study committee to consider and make  
15 recommendations on the criteria to be used by the State Board of Education for  
16 the approval of an independent school.

17 An act relating to increased flexibility for school district mergers and to the  
18 State Board of Education

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

2 \* \* \* Findings \* \* \*

3 **Sec. 1. FINDINGS**

4 (a) 2015 Acts and Resolves No. 46 established a multi-year, phased process  
5 that provides multiple opportunities for school districts to unify existing  
6 governance units into more “sustainable governance structures” designed to  
7 meet the General Assembly’s identified educational and fiscal goals while  
8 recognizing and reflecting local priorities. It has been the General Assembly’s  
9 intent to revitalize Vermont’s small schools – to promote equity in their  
10 offerings and stability in their finances – through these changes in governance.

11 (b) As of Town Meeting Day 2017, nearly 60 Vermont towns have voted to  
12 merge nearly 70 school districts into these slightly larger, more sustainable  
13 governance structures, resulting in the creation of 14 unified union districts  
14 (serving prekindergarten–grade 12 students). Currently, roughly one-half of  
15 Vermont’s school-age children live in districts that have satisfied the goals of  
16 Act 46.

17 (c) These slightly larger, more flexible unified union districts have begun to  
18 realize distinct benefits, including the ability to offer kindergarten–grade 8  
19 choice among elementary schools within the new district boundaries; greater  
20 flexibility in sharing students, staff, and resources among individual schools;

1 the elimination of bureaucratic redundancies; and the flexibility to create  
2 magnet academies, focusing on a particular area of specialization by school.  
3 (d) Significant areas of the State, however, have experienced difficulty  
4 satisfying the goals of Act 46. The range of complications are varied,  
5 including operating or tuitioning models that differ among adjoining districts,  
6 geographic isolation or unreasonably long travel times between proposed  
7 merger partners, and radically differing levels of debt between districts  
8 involved in merger study committees. This act is designed to make useful  
9 changes to the merger timelines and allowable governance structures under Act  
10 46 without weakening or eliminating the act’s fundamental phased merger and  
11 incentive structures and requirements.

12 \* \* \* Side-by-Side Structures \* \* \*

13 Sec. 2. 2012 Acts and Resolves No. 156, Sec. 15 is amended to read:

14 Sec. 15. TWO OR MORE MERGERS; REGIONAL EDUCATION  
15 DISTRICT INCENTIVES

16 (a) Notwithstanding 2010 Acts and Resolves No. 153, Sec. 3(a)(1) of No.  
17 153 of the Acts of the 2009 Adj. Sess. (2010) that requires a single regional  
18 education district (“RED”) to have an average daily membership of at least  
19 1,250 or result from the merger of at least four districts, or both, two or more  
20 new districts shall be eligible jointly for the incentives provided in ~~Sec. 4~~ of  
21 No. 153, Sec. 4 if:

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(3) ~~one of the new districts provides education in all elementary and secondary grades by operating one or more schools and the other new district or districts pay tuition for students in one or more grades~~ each new district has a model of operating schools or paying tuition that is different from the model of the other, which may include;

(A) operating a school or schools for all resident students in prekindergarten through grade 12;

(B) operating a school or schools for all resident students in some grades and paying tuition for resident students in the other grades; or

(C) operating no schools and paying tuition for all resident students in prekindergarten through grade 12;

\* \* \*

(b) This section is repealed on July 1, ~~2017~~ 2019.

Sec. 3. THREE-BY-ONE SIDE-BY-SIDE STRUCTURE; REGIONAL  
EDUCATION DISTRICT INCENTIVES

(a) Notwithstanding 2010 Acts and Resolves No. 153, Sec. 3(a)(1) that requires a single regional education district (RED) to have an average daily membership of at least 1,250 or result from the merger of at least four districts, or both, a new district shall be eligible for the incentives provided in No. 153,

1 Sec. 4 as amended by 2012 Acts and Resolves No. 156 and 2015 Acts and  
2 Resolves No. 46 if:

3 (1) The new district is formed by the merger of at least three existing  
4 districts (Merged District) and, together with an existing (Existing District), are  
5 members of the same supervisory union following the merger (Three-by-One  
6 Side-by-Side Structure).

7 (2) The Existing District is either:

8 (A) geographically isolated, due to lengthy driving times or  
9 inhospitable travel routes between the Existing District's school or schools and  
10 the nearest school in which there is excess capacity as determined by the State  
11 Board of Education;

12 (B) structurally isolated, because all adjoining school districts have  
13 operating or tuitioning models that differ from the Existing District; or

14 (C) unable to reach agreement to consolidate with one or more other  
15 adjoining school districts because the school districts that adjoin the Existing  
16 District do not have levels of indebtedness per equalized pupil, as defined in 16  
17 V.S.A. § 4001(3), that are comparable to that of the Existing District as  
18 determined by the State Board of Education.

19 (3) The Merged District and the Existing District each has a model of  
20 operating schools or paying tuition that is different from the model of the  
21 other, which may include:

1           (A) operating a school or schools for all resident students in  
2 prekindergarten through grade 12;

3           (B) operating a school or schools for all resident students in some  
4 grades and paying tuition for resident students in the other grades; or

5           (C) operating no schools and paying tuition for all resident students  
6 in prekindergarten through grade 12;

7           (4) The Three-by-One Side-by-Side Structure meets all criteria for RED  
8 formation other than the size criterion of 2010 Acts and Resolves No. 153,  
9 Sec. 3(a)(1) (average daily membership of at least 1,250) and otherwise as  
10 provided in this section.

11           (5) The districts seeking approval of their proposed Three-by-One  
12 Side-by-Side Structure demonstrate in their report presented to the State Board  
13 that this structure is better suited to them than a governance structure described  
14 in 2015 Acts and Resolves No. 46, Sec. 6, and will meet the goals set forth in  
15 Sec. 2 of that act.

16           (6) The districts proposing to merge into the Merged District receive  
17 final approval from their electorate for the merger proposal on or before  
18 November 30, 2017, and the Merged District becomes fully operational on or  
19 before July 1, 2019.

1        (b) The tax incentives provided in 2010 Acts and Resolves No. 153, Sec. 4  
2        shall be available to the Merged District and shall not be available to the  
3        Existing District.

4        (c) The Existing District shall be exempt from the requirement under 2015  
5        Acts and Resolves No. 46, Secs. 9 and 10 to self-evaluate and make a proposal  
6        to the Secretary of Education and State Board of Education and from the State  
7        Board’s plan.

8                    \* \* \* Withdrawal from Union High School District \* \* \*

9        **Sec. 4. TEMPORARY AUTHORITY TO WITHDRAW FROM UNION**

10        **HIGH SCHOOL DISTRICT**

11        (a) Notwithstanding any provision of 16 V.S.A. § 721a to the contrary, a  
12        school district that operates a school or schools for all resident students in  
13        prekindergarten through grade 6, pays tuition for resident students in grade 7  
14        through grade 12, and is a member of a union high school district may  
15        withdraw from the union high school district without approval by the  
16        remaining members of the union high school district upon the following  
17        conditions:

18                (1) At least one year has elapsed since the union high school district  
19        became a body politic and corporate as provided in 16 V.S.A. § 706g.

20                (2) A majority of the voters of the school district proposing to withdraw  
21        from the union high school district present and voting at a school district



1 meeting duly warned for that purpose votes to withdraw from the union high  
2 school district. The clerk of the school district shall certify the vote to the  
3 Secretary of State, who shall record the certificate in his or her office and shall  
4 give notice of the vote to the Secretary of Education and to the other members  
5 of the union high school district.

6 (3) The State Board approves the withdrawal based on a  
7 recommendation from the Secretary of Education.

8 (4) The withdrawal process is completed on or before July 1, 2019.

9 (b) In making his or her recommendation, the Secretary of Education shall  
10 assess whether:

11 (1) students in the withdrawing school district would attend a school that  
12 complies with the rules adopted by the State Board pertaining to educational  
13 programs; and

14 (2) it is in the best interests of the State, the students, and the districts  
15 remaining in the union high school district for the union to continue to exist.

16 (c) The State Board shall:

17 (1) consider the recommendation of the Secretary and any other  
18 information it deems appropriate;

19 (2) hold a public meeting within 60 days of receiving the  
20 recommendation of the Secretary, and provide due notice of this meeting to the  
21 Secretary and all members of the union high school district;

1           (3) within 10 days of the meeting, notify the Secretary and all members  
2           of the union high school district of its decision;

3           (4) if it approves the withdrawal, declare the membership of the  
4           withdrawing school district in the union high school district terminated as of  
5           July 1 immediately following, or as soon after July 1 as the financial  
6           obligations of the withdrawing school district have been paid to, or an  
7           agreement has been made with, the union high school district in an amount to  
8           satisfy those obligations; and

9           (5) file the declaration with the Secretary of State, the clerk of the  
10           withdrawing school district, and the clerk of the union high school district  
11           concerned.

12           Sec. 5. REPEAL

13           Sec. 4 of this act is repealed on July 2, 2019.

14                           \* \* \* Time Extension for Qualifying Districts \* \* \*

15           Sec. 6. 2015 Acts and Resolves No. 46, Sec. 9 is amended to read:

16           Sec. 9 SELF-EVALUATION, MEETINGS, AND PROPOSAL

17           (a) ~~On~~ Subject to subsection (b) of this section, on or before November 30,  
18           2017, the board of each school district in the State that;

19                   (1) has a governance structure different from the preferred structure  
20           identified in Sec. 5(b) of this act (Education District), or that does not expect to  
21           become or will not become an Education District on or before July 1, 2019; or



1           (2) if a member of a study committee formed under 16 V.S.A. § 706,  
2           provides to the Secretary a declaration that another school district wants to join  
3           the district’s study committee, signed by each member of the study committee  
4           and the district that proposes to join the study committee.

5                           \* \* \* Grants and Fee Reimbursement \* \* \*

6           Sec. 8. 2015 Acts and Resolves No. 46, Sec. 7 is amended to read:

7           Sec. 7. SCHOOL DISTRICTS CREATED AFTER DEADLINE FOR  
8                           ACCELERATED ACTIVITY; TAX INCENTIVES; SMALL  
9                           SCHOOL SUPPORT; JOINT CONTRACT SCHOOLS

10   \* \* \*

11           (b) A newly formed school district that meets the criteria set forth in  
12           subsection (a) of this section shall receive the following:

13   \* \* \*

14           (3) Transition Facilitation Grant.

15           (A) After voter approval of the plan of merger, notwithstanding any  
16           provision to the contrary in 16 V.S.A. § 4025, the Secretary of Education shall  
17           pay the transitional board of the new district a Transition Facilitation Grant  
18           from the Education Fund equal to the lesser of:

19                           (i) five percent of the base education amount established in  
20           16 V.S.A. § 4001(13) multiplied by the greater of either the combined

1 enrollment or the average daily membership of the merging districts on  
2 October 1 of the year in which the successful vote is taken; or

3 (ii) \$150,000.00.

4 (B) A Transition Facilitation Grant awarded under this subdivision  
5 (3) shall be reduced by the total amount of reimbursement paid for consulting  
6 services, analysis, and transition costs pursuant to 2012 Acts and Resolves  
7 No. 156, Secs. 2, 4, and 9.

8 \* \* \*

9 (e) Notwithstanding the requirement in subdivision (a)(3) of this section  
10 that the newly formed school district be its own supervisory district, the newly  
11 formed school district shall qualify for the incentives under this section if it is  
12 assigned to a supervisory union by the State Board of Education and that  
13 assignment by the State Board is not made at the request of the school district.

14 Sec. 9. 2012 Acts and Resolves No. 156, Sec. 9, is amended to read:

15 Sec. 9. REIMBURSEMENT OF FEES FOR CONSULTING SERVICES;

16 MERGER; SCHOOL DISTRICTS; SUNSET

17 (a) From the ~~education fund~~ Education Fund, the ~~commissioner of~~  
18 ~~education~~ Secretary of Education shall reimburse up to \$20,000.00 of fees paid  
19 by a study committee established under 16 V.S.A. § 706 for legal and other  
20 consulting services necessary to analyze the advisability of creating a union  
21 school district or a unified union school district, ~~and~~ to prepare the report

1 required by 16 V.S.A. § 706b, and to conduct community outreach, including  
2 communications with voters. Community outreach materials shall be limited  
3 to those that are reasonably designed to inform, educate, and explain to the  
4 electorate a study committee’s position on the matter.

5 \* \* \*

6 Sec. 10. 2015 Acts and Resolves No. 46, Sec. 10 is amended to read:

7 Sec. 10. TRANSITION TO SUSTAINABLE GOVERNANCE  
8 STRUCTURES; PROPOSAL; FINAL PLAN

9 \* \* \*

10 (d) A school district that has received or is eligible to receive tax incentives  
11 under 2010 Acts and Resolves No. 153, 2012 Acts and Resolves No. 156, or  
12 2015 Acts and Resolves No. 46, and that, at the request of the State Board,  
13 agrees by vote of its electorate to merge with another school district, shall  
14 receive a supplemental Transitional Facilitation Grant of \$10,000.00 to defray  
15 the costs of integration. Notwithstanding any provision to the contrary in  
16 16 V.S.A. § 4025, the Secretary of Education shall pay the board of the school  
17 district the supplemental Transition Facilitation Grant from the Education  
18 Fund.

19 \* \* \* Applications for Adjustments to Supervisory Union Boundaries \* \* \*

20 Sec. 11. 16 V.S.A. § 261 is amended to read:

1 § 261. ORGANIZATION AND ADJUSTMENT OF SUPERVISORY

2 UNIONS

3 (a) The State Board shall review on its own initiative or when requested as  
4 per subsection (b) of this section and may regroup the supervisory unions of  
5 the State or create new supervisory unions in such manner as to afford  
6 increased efficiency or greater convenience and economy and to facilitate  
7 prekindergarten through grade 12 curriculum planning and coordination as  
8 changed conditions may seem to require.

9 (b)(1) Any school district that has so voted at its annual school district  
10 meeting, if said meeting has been properly warned regarding such a vote, may  
11 request that the State Board adjust the existing boundaries of the supervisory  
12 union of which it is a member district.

13 (2) Any group of school districts that have so voted at their respective  
14 annual school district meeting, regardless of whether the districts are members  
15 of the same supervisory union, may request that the State Board adjust existing  
16 supervisory union boundaries and move one or more nonrequesting districts to  
17 a different supervisory union if such adjustment would assist the requesting  
18 districts to realign their governance structures into a unified union school  
19 district pursuant to chapter 11 of this title.

20 (3) The State Board shall ~~give timely consideration to requests~~ act on a  
21 request made pursuant to this subsection within 60 days of receipt of the

1 request and may regroup the school districts of the area so as to ensure  
2 reasonable supervision of all public schools therein.

3 \* \* \*

4 \* \* \* Technical Corrections; Clarifications \* \* \*

5 Sec. 12. 2012 Acts and Resolves No. 156, Sec. 16 is amended to read:

6 Sec. 16. UNION ELEMENTARY SCHOOL DISTRICTS; REGIONAL  
7 EDUCATION DISTRICT INCENTIVES

8 \* \* \*

9 (b) This section is repealed on July 1, ~~2017~~ 2019.

10 Sec. 13. 2012 Acts and Resolves No. 156, Sec. 17 is amended to read:

11 Sec. 17. MODIFIED UNIFIED UNION SCHOOL DISTRICT

12 \* \* \*

13 (d) This section is repealed on July 1, ~~2017~~ 2019.

14 Sec. 14. AVAILABILITY OF TAX AND OTHER INCENTIVES

15 The tax and other incentives under 2010 Acts and Resolves No. 153, as  
16 amended, and 2012 Acts and Resolves No. 156, as amended, shall be available  
17 only if the new governance structure formed under those acts becomes fully  
18 operational on or before July 1, 2019.

19 Sec. 15. 2015 Acts and Resolves No. 46, Sec. 23 is amended to read:

20 Sec. 23. DECLINING ENROLLMENT; TRANSITION



1 (a) If a district’s equalized pupils in fiscal year 2016 do not reflect any  
2 adjustment pursuant to 16 V.S.A. § 4010(f), then Sec. 22 of this act shall apply  
3 to the district in fiscal year 2017 and after.

4 (b) If a district’s equalized pupils in fiscal year 2016 reflect adjustment  
5 pursuant to 16 V.S.A. § 4010(f), then, notwithstanding the provisions of  
6 § 4010(f) as amended by this act:

7 (1) in fiscal year 2017, the district’s equalized pupils shall in no case be  
8 less than 90 percent of the district’s equalized pupils in the previous year; and

9 (2) in fiscal year 2018, the district’s equalized pupils shall in no case be  
10 less than 80 percent of the district’s equalized pupils in the previous year.

11 (c) Notwithstanding the provisions of subsections (a) and (b) of this  
12 section, if a district is actively engaged in merger discussions with one or more  
13 other districts regarding the formation of a regional education district (RED) or  
14 other form of unified union school district pursuant to 16 V.S.A. chapter 11,  
15 then Sec. 22 of this act shall apply to the district in fiscal year 2018 and after,  
16 and each of the dates in subsection (b) of this section shall be adjusted  
17 accordingly. A district shall be “actively engaged in merger discussions”  
18 pursuant to this subsection (c) if on or before July 1, 2016, it has formed a  
19 study committee pursuant to 16 V.S.A. chapter 11. Until such time as Sec. 22  
20 of this act shall apply to the district, the district’s equalized pupil count shall be  
21 calculated under 16 V.S.A. § 4010(f), as in effect on June 30, 2016.



1 a demonstrated commitment to ensuring quality education for Vermont  
2 students. To the extent possible, the members shall represent geographically  
3 diverse areas of the State. The Secretary shall serve on the State Board as a  
4 nonvoting member.

5 (1) Upon the expiration of the respective terms of those members of the  
6 Board previously appointed, excluding the student members, the Governor  
7 shall, biennially in the month of February with the advice and consent of the  
8 Senate, appoint members ~~thereto~~ to the Board for terms of ~~six~~ four years. The  
9 terms shall begin March 1 of the year in which the appointments are made. A  
10 member serving a full term ~~of six years~~ shall not be eligible for reappointment  
11 for successive terms.

12 (2) In the event of any vacancy occurring in the membership of the  
13 Board, the Governor shall fill the vacancy with a qualified person whose  
14 appointment shall be for the unexpired portion of the term.

15 (3) Biennially, the Board shall choose a member of the Board to be its  
16 chair.

17 (4) Annually, using an application process that is open and accessible to  
18 all eligible students, the Governor shall appoint a Vermont secondary school  
19 student who will continue to be a secondary student for at least two years  
20 following taking office, to serve on the State Board for two years, beginning on  
21 July 1 of the year of appointment. The student member shall not vote during

1 the first year and shall be a full and voting member during the second year of  
2 his or her term.

3 **Sec. 18. TRANSITION; STATE BOARD MEMBERSHIP**

4 The Governor shall appoint two representatives of independent schools as  
5 members of the State Board of Education under Sec. 17 of this act upon the  
6 next expiration of the respective terms of those members of the Board  
7 previously appointed, excluding the student members, following the effective  
8 date of this section.

9 Sec. 19. 16 V.S.A. § 164 is amended to read:

10 **§ 164. STATE BOARD; GENERAL POWERS AND DUTIES**

11 The State Board shall evaluate education policy proposals, including timely  
12 evaluation of policies presented by the Governor and Secretary; engage local  
13 school board members and the broader education community; and establish  
14 and advance education policy for the State of Vermont. In addition to other  
15 specified duties, the Board shall:

16 \* \* \*

17 (14) Adopt rules for approval of independent schools. The General  
18 Assembly has, through its legislation, recognized differences between public  
19 and approved independent schools, including in their governance and  
20 organizational structures, missions, scope of responsibilities, educator  
21 licensure and evaluation requirements, programmatic requirements, and

1 reporting requirements. The State Board shall enact rules for approval of  
2 independent schools that acknowledge and are consistent with this legislative  
3 intent.

4 \* \* \*

5 (22) At the request of the Governor, propose candidates for appointment  
6 to the position of Secretary of Education, and review and advise the Governor  
7 on the qualifications of any candidate for this position being considered by the  
8 Governor.

9 **Sec. 20. NULLIFICATION OF 2200 SERIES OF THE RULES AND**

10 **PRACTICES**

11 The proposed amendments to the 2200 Series of the Rules and Practices of  
12 the State Board of Education initiated by the State Board on November 13,  
13 2015 shall be null, void, and of no effect. The State Board may initiate new  
14 amendments to the 2200 Series of its Rules and Practices after the date the  
15 report required under Sec. 21 of this act is delivered to the House and Senate  
16 Committees on Education.

17 **Sec. 21. APPROVED INDEPENDENT SCHOOLS STUDY COMMITTEE**

18 (a) Creation. There is created an Approved Independent Schools Study  
19 Committee to consider and make recommendations on the criteria to be used  
20 by the State Board of Education for designation as an “approved” independent  
21 school.

1           **(b) Membership. The Committee shall be composed of the following 10**  
2           **members:**

3           **(1) two current members of the House of Representatives, not from the**  
4           **same political party, who shall be appointed by the Speaker of the House;**

5           **(2) two current members of the Senate, not from the same political**  
6           **party, who shall be appointed by the Committee on Committees;**

7           **(3) the Secretary of Education or designee;**

8           **(4) the Executive Director of the Vermont Superintendent’s Association**  
9           **or designee;**

10           **(5) the Executive Director of the Vermont School Boards Association or**  
11           **designee;**

12           **(6) the Executive Director of the Vermont Independent Schools**  
13           **Association or designee; and**

14           **(7) two representative of approved independent schools, who shall be**  
15           **chosen by the Executive Director of the Vermont Independent Schools.**

16           **(c) Powers and duties. The Committee shall consider and make**  
17           **recommendations on the criteria to be used by the State Board of Education for**  
18           **designation as an “approved” independent school, including the following**  
19           **criteria:**

20           **(1) the school’s enrollment policy and any limitation on a student’s**  
21           **ability to enroll;**

1           (2) whether the school should be required to offer special education  
2           services, and if so, which categories of these services; and

3           (3) the scope and nature of financial information that should be required  
4           to be reported by the school to the State Board or Agency of Education.

5           (d) Assistance. The Committee shall have the administrative, technical,  
6           and legal assistance of the Agency of Education.

7           (e) Report. On or before January 15, 2018, the Committee shall submit a  
8           written report to the House and Senate Committees on Education with its  
9           findings and any recommendations.

10          (f) Meetings.

11           (1) The Secretary of Education shall call the first meeting of the  
12           Committee to occur on or before May 30, 2017.

13           (2) The Committee shall select a chair from among its members at the  
14           first meeting.

15           (3) A majority of the membership shall constitute a quorum.

16           (4) The Committee shall cease to exist on January 16, 2018.

17          (g) Reimbursement.

18           (1) For attendance at meetings during adjournment of the General  
19           Assembly, legislative members of the Committee shall be entitled to per diem  
20           compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for  
21           no more than seven meetings.

