

Testimony of Scott Woodward, Pomfret Selectboard
In re: dr req 20-0956 – draft 2.1 (COVID-19 legislation)

April 16, 2020

Madame Chair and Members of the House Government Operations Committee,

Thank you for the opportunity to speak with you today about this important legislation that would provide much needed relief to Vermont taxpayers. I come to you today in my individual capacity as a Pomfret Selectboard member.

I am generally supportive of the legislation, but I have the following concerns and questions:

My main concern with this legislation is that it, while its general purpose is to allow for broad abatement of property taxes, it also represents a partial transfer of power from one public body to another. The lines of authority at the local government level are often fuzzy and this legislation, as currently drafted, would further blur the lines of authority.

For instance, under current law (24 V.S.A. § 1535(a)(3)), the board of abatement has the authority to grant case-by-case relief on taxes, interest and fees for taxpayers who are unable to pay. The selectboard is already part of the board of abatement. Sec. 1, subpar. 2 of the proposed legislation effectively duplicates (or temporarily replaces?) the authority already granted to the board of abatement under Title 24.

In my view, it would make more sense for the board of abatement to exercise the proposed authority because under current statute, the legislature has already decided that the board of abatement is the property authority to provide relief through abatement of taxes (24 V.S.A. § 1533). Indeed, by keeping the authority with board of abatement, there would be more representation of key town government officials – the town clerk and treasurer, in particular. These two roles have a major stake in the proposed legislation as they are on the front lines of dealing with the frustration of taxpayers.

I have two other questions about the legislation:

- For towns that are on a 7/1 to 6/30 fiscal year, does “calendar 2020” literally mean only the remainder of calendar 2020 or does it mean the last quarter of FY20 and the first half of FY21?
 - As it relates to setting the tax rate, for instance, does it only mean setting the tax rate for FY21? (since the FY20 tax rate is already set)
- Is the intent of Sec. 1, subpar. 3 (allowing a selectboard to reduce the municipal tax rate) to allow a selectboard to create a deficit?

