

1 H.887

2 Representative Kornheiser of Brattleboro moves that the bill be amended as
3 follows:

4 First: By striking out Sec. 20, 16 V.S.A. § 4001(6)(B), in its entirety and
5 inserting in lieu thereof the following:

6 Sec. 20. 16 V.S.A. § 4001(6)(B) is amended to read:

7 (B) For all bonds approved by voters prior to July 1, 2024, voter-approved
8 bond payments toward principal and interest shall not be included in
9 “education spending” for purposes of calculating excess spending pursuant to
10 32 V.S.A. § 5401(12), ~~“education spending” shall not include:~~

11 (i) ~~Spending during the budget year for:~~

12 ~~(I) approved school capital construction for a project that~~
13 ~~received preliminary approval under section 3448 of this title, including~~
14 ~~interest paid on the debt, provided the district shall not be reimbursed or~~
15 ~~otherwise receive State construction aid for the approved school capital~~
16 ~~construction; or~~

17 ~~(II) spending on eligible school capital project costs pursuant to~~
18 ~~the State Board of Education’s Rule 6134 for a project that received~~
19 ~~preliminary approval under section 3448 of this title.~~

20 (ii) ~~For a project that received final approval for State construction~~
21 ~~aid under chapter 123 of this title:~~

1 ~~(I) spending for approved school capital construction during the~~
2 ~~budget year that represents the district's share of the project, including interest~~
3 ~~paid on the debt; or~~

4 ~~(II) payment during the budget year of interest on funds~~
5 ~~borrowed under subdivision 563(21) of this title in anticipation of receiving~~
6 ~~State aid for the project.~~

7 ~~(iii) Spending that is approved school capital construction spending~~
8 ~~or deposited into a reserve fund under 24 V.S.A. § 2804 to pay future approved~~
9 ~~school capital construction costs, including that portion of tuition paid to an~~
10 ~~independent school designated as the public high school of the school district~~
11 ~~pursuant to section 827 of this title for capital construction costs by the~~
12 ~~independent school that has received approval from the State Board of~~
13 ~~Education, using the processes for preliminary approval of public school~~
14 ~~construction costs pursuant to subdivision 3448(a)(2) of this title.~~

15 ~~(iv) Spending attributable to the cost of planning the merger of a~~
16 ~~small school, which for purposes of this subdivision means a school with an~~
17 ~~average grade size of 20 or fewer students, with one or more other schools.~~

18 ~~(v) Spending attributable to the district's share of special education~~
19 ~~spending that is not reimbursed as an extraordinary reimbursement under~~
20 ~~section 2962 of this title for any student in the fiscal year occurring two years~~
21 ~~prior.~~

1 ~~(vi) A budget deficit in a district that pays tuition to a public school~~
2 ~~or an approved independent school, or both, for all of its resident students in~~
3 ~~any year in which the deficit is solely attributable to tuition paid for one or~~
4 ~~more new students who moved into the district after the budget for the year~~
5 ~~creating the deficit was passed.~~

6 ~~(vii) For a district that pays tuition for all of its resident students~~
7 ~~and into which additional students move after the end of the census period~~
8 ~~defined in subdivision (1)(A) of this section, the number of students that~~
9 ~~exceeds the district's most recent average daily membership and for whom the~~
10 ~~district will pay tuition in the subsequent year multiplied by the district's~~
11 ~~average rate of tuition paid in that year.~~

12 ~~(viii) Tuition paid by a district that does not operate a school and~~
13 ~~pays tuition for all resident students in kindergarten through grade 12, except~~
14 ~~in a district in which the electorate has authorized payment of an amount~~
15 ~~higher than the statutory rate pursuant to subsection 823(b) or 824(e) of this~~
16 ~~title.~~

17 ~~(ix) The assessment paid by the employer of teachers who become~~
18 ~~members of the State Teachers' Retirement System of Vermont on or after July~~
19 ~~1, 2015, pursuant to section 1944d of this title.~~

20 ~~(x) School district costs associated with dual enrollment and early~~
21 ~~college programs.~~

1 ~~(xi) Costs incurred by a school district or supervisory union when~~
2 ~~sampling drinking water outlets, implementing lead remediation, or retesting~~
3 ~~drinking water outlets as required under 18 V.S.A. chapter 24A.~~

4 Second: By striking out Sec. 21, property tax credit; asset declaration;
5 report, in its entirety and inserting in lieu thereof the following:

6 Sec. 21. PROPERTY TAX CREDIT; ASSET DECLARATION; REPORT

7 On or before December 15, 2024, the Commissioner shall recommend
8 administrative and policy improvements for property tax credit claims,
9 including the use of an asset declaration. The report shall be submitted to the
10 House Committee on Ways and Means and the Senate Committee on Finance.

11 Third: In Sec. 25, effective dates, by striking out subsections (b) and (c) in
12 their entirety and inserting in lieu thereof the following:

13 (b) Secs. 13a–16 (CLA effect on tax rates and statewide adjustment) and
14 19 (repeal of excess spending suspension) shall take effect July 1, 2025.

15 (c) Sec. 9 (16 V.S.A. § 563; powers of school boards; form of vote) shall
16 take effect July 1, 2024, provided, however, that 16 V.S.A. § 563(11)(D) shall
17 not apply to ballots used for fiscal year 2025 budgets.

18 (d) All other sections shall take effect on July 1, 2024.