

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.