



WEEKLY LEGISLATIVE REPORT

February 27, 2015

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The *Weekly Legislative Report*, a publication of the Vermont League of Cities and Towns, is issued each Friday during Vermont's legislative session.

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House Education Committee Generates Reform Bill

On Thursday afternoon, the House Education Committee voted to turn its Draft 7.1 of its education reform bill into [H.361](#). (See [VLCT Weekly Legislative Report No. 7](#) to see what Draft 1.2 contained.) The committee succeeded in its efforts to report out a bill before the legislature takes a break for Town Meeting next week. At those meetings, voters throughout Vermont will consider school budgets that result in another increase in state education property taxes of an estimated \$30 million, or a three percent increase over last year's \$1,022,300,000 that the state imposes in property taxes to pay to educate the 88,626 "equalized" pupils in our schools. The bill will be formally introduced when the House returns from its break and will most likely be referred immediately to the House Ways and Means Committee for its input.

H.361 sets the state nonresidential education property tax rate at \$1.535, up two cents from the current level. It also sets the base residential rate at \$1.00, up two cents from this year as well. It is projected that if the proposed budgets are approved, the average actual residential state education property tax rate adjusted for spending will rise from \$1.50 to \$1.56, or four percent. Residents eligible for income sensitivity adjustments will see their base rate go up from 1.8 percent of household income to 1.94 percent. Their average actual rate on household income with the spending adjustment will rise from 2.755 percent to 3.026 percent of household income, a 9.8 percent increase in the taxes they will actually pay for the budgets if approved as projected in December. Because the income sensitivity payments are based on data from earlier annual incomes and property taxes, there is a lag before this increase will be realized.

As with earlier drafts, H.361 sets a bunch of policy goals, changes the way the state property tax rates are set (but not the amount that needs to be collected), phases out the maximum loss of students limits, prohibits paying tuition for students going to school out of state, includes the moratorium on new state mandates on schools, and changes the form of town meeting warning article to approve school budgets.

The bill does have some additional incentives for closing school buildings to spur consolidation and cost savings. It delays and provides exceptions for some districts to continue to receive the small school grants. It contains pages of studies to be done on different issues. Perhaps most dramatically, it requires all school districts to consolidate into pre-kindergarten through grade 12 districts of at least 1,100 students by July 1, 2019, unless they get a reprieve from the state Board of Education.

The bill's major thrust to curb state education property tax is included in sections 27 and 28, found on page 39: *If any school district approves a budget that contains equalized*

per pupil education spending, as defined in subdivision 4001(6) of this title, that is 2.0 percent in excess of the equalized per pupil education spending amount adopted in the previous year's budget, then the budget shall be deemed to have failed to pass. This section takes effect for the FY17 through FY19 school budgets. (Voters will consider the FY16 budget next week.)

The VLCT Board of Directors will meet on Thursday, March 12, to consider whether or not it will take a position on H.361.

Contact Steve Jeffrey at 1-800-649-7915 or sjeffrey@vlct.org.

House Appropriations Considers Taking Local Tax Revenue to Meet State Budget Needs

On Thursday, the legislature's Joint Fiscal Office presented the House Appropriations Committee with a "[composite reduction list](#)" of potential ways to deal with the state's budget shortfall. Near the top of the list was to "assess" the state Payment in Lieu of Taxes (PILOT) Fund that reimburses cities and towns for some of the property taxes the state doesn't pay. Municipal property taxes fund the provision of municipal services such as police, fire protection, emergency response, and roads to facilities, including those owned by the state. The \$250,000 proposed assessment would reduce the \$5.8 million that 145 cities, towns, and villages receive to help pay to provide those essential services.

This shifts the state budget woes onto the local property tax. Even worse, the state does not raise any of the PILOT money provided to cities and towns. All the PILOT revenue is raised by the dozen or so cities and towns that have voted to impose upon themselves and their taxpayers a local option sales and/or rooms and meals tax. The towns that have enacted these taxes have done so under a section of state statute or a local charter that allows them to impose a one-percent tax on sales and/or rooms and meals in their towns as a "piggyback" on the state's tax base. The state administers the tax (for which the towns pay a service fee) and the towns get to keep 70 percent of the revenues. The remaining 30 percent is deposited into the state PILOT Fund for the state building reimbursements to towns hosting such facilities, their workers, and their visitors. So these are locally raised revenues going to support municipalities. Now the state is considering those dollars to be its own revenue source.

VLCT opposes any "assessment" on the locally raised PILOT Fund to retire the state's deficit. Local officials should contact their legislators and vehemently oppose such a move or any other attempt by the legislature to shift its financial problems any further onto the property tax.

Contact Steve Jeffrey at 1-800-649-7915 or sjeffrey@vlct.org.

Senate Bill Mandates Binding Arbitration for Union Contracts, Unless ...

The Senate Education Committee took testimony this week on [S.74](#), a bill that would provide municipal and school district unions the ability to have their collective bargaining contracts decided by a third party individual unless the voters of those governments explicitly voted to authorize these unions to strike. The Vermont League of Cities and Towns opposes S.74 in testimony provided.

The bill amends not only the Municipal Employee Relations Act (MERA) but also the laws governing the labor relations between school districts and the teachers' union. Currently, municipal employees do have the right to strike, but the voters may approve having contract disputes decided by an arbitrator (21 V.S.A. § 1733). The ability to choose to use arbitration was enacted in 1978 following (or perhaps during) a municipal employee strike in the City of Rutland. Since that time, this author can only remember two other municipal employee strikes. Voters in several larger municipalities have adopted the arbitration

option. There does not seem to be a problem on which another legislative solution is needed.

Under the teacher union law, strikes are permitted, and there have been more of them than on the municipal side. The current law allows the two parties (the union and the school board) to voluntarily agree to submit the contract dispute to arbitration. Both sides are required to abide by the decision of this third party person.

S.74 would impose arbitration on all towns and school districts with labor unions unless the voters approve an article at a town meeting that states “The employees of the municipality shall have the right to strike ...” It takes the status quo – where the voters or parties can agree to have someone else decide what teachers and municipal workers should be paid, what benefits they should get and what their working conditions are – and makes this the default unless the voters vote to revert to the current situation.

VLCT is opposed to S.74 for two reasons. First, we strongly believe that the only outcome of expansion of compulsory binding arbitration to teachers and administrators will be to bring higher state property taxes without voter or even elected representatives having to make that decision. S.74 is designed to make arbitration all but certain, changing the status quo to requiring arbitration unless the voters of the school district make an extremely difficult effort to reverse this. This shifting of the default to binding arbitration would be coming at exactly the time the legislature is debating all sorts of proposals that would curb the exorbitant rise in state property taxes and would severely limit the options available to meet this challenge.

Second, there is no need to change the municipal employee relations laws as proposed by S.74, as there have been virtually no problems since the referendum authority allowing the voters to choose to use binding arbitration as the final step for impasse resolution was granted in 1978.

Contract impasse arbitration for public sector employment is an abrogation of democracy and governing. Local officials and our senators and representatives know all too well that governing means making the hard decisions, including occasionally even saying no to one side or the other. It also means suffering the consequences of not being able to make everyone happy.

S.74 would take the decisions for 80 percent of the school property taxes out of the hands of the governed and their elected representatives and turn it over to a “disinterested” individual. Arbitrators are chosen by agreement of both sides – labor and the school board or selectboard have to agree on who is going to set salaries and benefits. Arbitrators don’t get paid for making the right decision or the hard decision. They only continue to get picked to arbitrate if they aren’t crossed off the list by the employer for siding with the union too frequently or vice versa. The easiest decision for them is straight down the middle of the differences between the two sides.

The arbitrators need to stay to the middle to continue to be employed, even when times require a change in the direction of where union contracts are heading. The trajectory of salaries, benefits, and other terms and conditions of employment that needs to be changed when costs need to be curtailed will be the status quo if binding arbitration is imposed.

The legislature shouldn’t enable this ceding of responsibility by making the electorate vote to affirmatively authorize striking. Requiring a vote to revert to the status quo when there is labor peace and when no one wants to offend their neighbor, the teacher, or snow plow driver is a mechanism to have arbitration replace contract negotiations and will be the determining factor for approximately three-quarters of people’s property tax bills (80 percent of school budgets and about 70 percent of municipal budgets). How will school boards – or for that matter the legislature –be able to do anything about rising state property taxes when a disinterested individual is making all the decisions about how 75 percent of local budgets will be spent?

VLCT is also concerned about language from page 7, line 20, to page 8, line 2, of the bill. This language replaces the words “involving wages, hours and conditions of employment as defined by this chapter and any other mutually agreed upon matters not in conflict with law” with “between the parties.” This appears to us to be a great expansion of the issues that an arbitrator can impose on a school district beyond issues on which they are now required to bargain.

VLCT is opposed to S.74 or any other piece of legislation that would expand the use of compulsory binding arbitration for impasse resolution. Municipal officials concerned about this abrogation of local control should speak with their legislators over next week’s Town Meeting break and let them know their concerns about such legislation.

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Cleaning Up the State’s Waters: What will Cities and Towns Need to Do?

Local governments, take heed: You will likely be on the hook for major and largely undefined expenses associated with new programs to clean up the waters of the state under the current provisions of H.35, the Water Quality Improvement Bill.

[H.35](#) was voted out of the House Fish, Wildlife and Water Resources Committee last Friday and has been formally in the House Agriculture and Forest Products Committee this week. That committee has taken testimony all week, as have the Transportation, Natural Resources and Energy, and Ways and Means committees in the House as well as the Senate Natural Resources and Energy Committee. VLCT staff and local officials testified in both House Transportation and Natural Resources and Energy committees this week that a lot of issues have yet to be resolved as the legislature tries to find a way to fund the cleanup of Lake Champlain and to establish what exactly municipalities, private enterprises, the state itself, agriculture businesses, and affected individuals will be required to do and how much they’ll have to pay.

VLCT reiterated its support for dedicated funding sources in testimony before both committees:

“We strongly support the efforts to begin setting up a fund for clean-up of the waters of the state and establishing a framework for implementing a clean-up program. In January, the VLCT Board voted to support applying revenue raising mechanisms developed to pay to clean up waters of the state, statewide; and if such a revenue source is an assessment on property or impervious surface, to apply it to all forms of property ownership and use. The Board voted to oppose any effort to mandate that cities and towns bill or collect any “per parcel” fee levied to pay for such clean up. We also initiated and support a temporary increase in the gas tax while gas prices are low, with revenues dedicated to funding stormwater implementation projects on town highways as required by the new Town highways permit. We supported the Governor’s proposal for an increase in fertilizer taxes.

“We oppose the imposition of fees on municipalities to pay for additional staff at the Agency of Natural Resources (ANR) to administer water cleanup programs. ANR advanced a proposal for fee increases and revisions, which it estimated would raise \$1.5 million in new revenues in FY16 to pay for 13 new positions at the Department of Environmental Conservation to administer new stormwater programs – much of that cost would be borne by municipal property taxpayers and wastewater facility user fees. As well, a portion of the fee revenues would fund regional planning commission efforts around stormwater planning. In FY15, the current fiscal year, water quality-related fees generated \$1 million in revenues, so the proposal increases these costs by 150 percent.”

The proposal to increase ANR fees – rolled into H.35 and considered again in the House Fish, Wildlife and Water Resources Committee yesterday – includes 52 new fees for water quality programs. It would require municipalities to pay 16 existing fees that they have been exempt from in the past because those funds could not generally be recovered through user charges and, therefore, would be paid by increased

property taxes. It either doubles or more than doubles 11 fees. By some estimates, municipalities would pay \$1 million of the \$1.5 million in new fee revenues

A substantial amount of money will apparently be made available for the agricultural mandates. In January, the Natural Resources Conservation Service announced a grant of \$14 million from the federal government's Regional Conservation Partnership Program to pay to implement projects to reduce nutrient runoff from farms and forests. Last August, the State of Vermont also received a \$45 million grant from the U.S. Department of Agriculture for similar projects. H.35 establishes a number of new fees for agriculture, such as a small farms certification fee (\$250), a medium farm fee (\$1,500), and large farm fee (\$2,500); commercial feed, economic poison (pesticides) and fertilizer fees would be deposited into an Agriculture Water Quality Dedicated Fund. A portion of those revenues would fund seven new positions at the Agency of Agriculture, Food and Markets.

The funding picture for municipalities remains much less clear. Local governments will be required to implement – and pay for – most of the stormwater infrastructure projects, training, education, and outreach that the legislation envisions and the details of which remain to be unveiled. With limited assistance from the state, those new mandates to clean up the waters of the state will be financed by the property tax.

H.35, as it left the House Fish, Wildlife and Water Resources Committee, included a two cent increase in the tax on the sale of gasoline, raising an estimated \$6.3 million. VLCT had supported a temporary gas tax increase to take advantage of falling gas prices *if* revenues were dedicated to municipal projects on roads that implement stormwater management strategies. The proposed gas tax is neither temporary nor dedicated to municipal stormwater-related transportation implementation projects.

H.35 also would raise the rooms and meals and alcoholic beverages taxes by one-half percent until July 1, 2018. Of the revenue raised, \$8.1 million would go into a newly created Clean Water Fund and \$300,000 would go to the General Fund. That \$300,000 could be more appropriately dedicated to funding some of the additional staff that ANR plans to hire to administer the stormwater programs. The bill would also establish a study committee to assess the feasibility of a per-parcel fee on impervious surfaces, and provide for gifts and donations to be sent to the Clean Water Fund. Including the agriculture-related revenues, the total tax and fee provisions are expected to raise approximately \$17,464,000.

As mentioned, H.35 would create a Clean Water Fund and Clean Water Board, now with municipal representation. It would establish municipal projects as a funding priority for three years. After that time – but three years before a proposed municipal roads general permit is fully rolled out and well before the Lake Champlain Total Maximum Daily Load (TMDL) permit term is up (which the U.S. Environmental Protection Agency EPA does not anticipate issuing in draft form until next month nor in final form until June), Clean Water Fund revenues could be used for any TMDL-related project or proposal including, as was mentioned in the House Transportation Committee yesterday, to support Agency of Transportation (VTrans) staff.

H.35 would create a general permit for municipal roads, which ANR would issue by December 31, 2017, and which all town highways would need to comply with by July 2021. The fee for the general permit would be \$400 per application and \$1,200 for an operating permit (annual fee). ANR and VTrans have indicated that they would use the current Road and Bridge Standards as the starting point for a new general permit for municipal roads. As local officials are aware, those standards did not respond to all local concerns and most significantly do not allow for flexibility in application, particularly to rural gravel roads in different parts of the state. [According to VTrans](#), 222 municipalities have adopted the 2013 version of the Town Road and Bridge Standards and 15 towns have adopted a modified or equivalent set of standards.

What more will municipalities be required to do? What are the limits of retrofits that a general municipal road permit may require? At what point will the cost of project implementation and maintenance be prohibitive? VLCT testified that ANR and VTrans should enter into a memorandum of understanding that would ensure that VTrans and municipalities are included in the development, implementation, and administration of a municipal roads permit.

H.35 would establish a general permit for discharges of stormwater from impervious surfaces of three or more acres by January 1, 2018. The permit would apply to properties that might not have a pre-existing permit and may be required to do more to mitigate stormwater discharges from their properties in order to comply with the current Stormwater Management Manual.

ANR would be required to provide a report to the legislature about the viability of requiring permits on every property with more than one-half acre of impervious surface. The current threshold is one acre. The ANR secretary would also be authorized to require a permit for any size of impervious surface if she determined that treatment of stormwater runoff was necessary to reduce adverse impacts to the waters of the state. A permit would require maintenance after development of a pre-development condition. And ANR would be required to adopt a rule for anti-degradation of the waters of the state by July 1, 2016. Any of these permits or proposed permits could apply to municipal properties.

The implications of H.35 are enormous. So are the stakes. We have written about H.35 for weeks because so many questions remain unanswered: What it will cost local governments to implement as yet unspecified stormwater management measures? What it will cost municipalities if plans to clean up Lake Champlain do not meet with EPA approval? How will the state pay for these mandates so the burden is not on the property tax?

Make sure that your legislators understand the need for certainty in requirements that will be imposed on towns and the need for resources to help pay for the enormous costs – approximately \$155 million per year for the next ten years according to the 2013 report from the ANR – that will be required of not only agricultural enterprises but more significantly of municipalities.

Contact Karen Horn at 1-800-649-7915 or khorn@vlct.org.

House Tax Bill Makes Some Changes Affecting Municipalities

On Thursday, the House gave preliminary approval to [H.272](#), a bill making changes to some tax laws and the current use program. The impact on municipalities should be minor.

The most impactful provision of bill resurrects changes to the current use program proposed over the last three biennial sessions of the legislature. The changes were first vetoed by Gov. Douglas and then stopped by the Senate in the last two sessions. The bill modifies the land use change tax on property withdrawn from the program from 20 percent to 10 percent of its pro-rata value. This will lower the tax consequence of withdrawing full parcels but will substantially increase it for smaller parcels that are withdrawn. Land withdrawn from the program will need to be appraised by the listers within 30 days to determine what the appropriate land change tax should be. To compensate for this extra work, the town will receive 50 percent of the land gains tax paid up to a total of \$2,000 per parcel. Three-quarters of the portion of the change tax the state receives over that provided to the town goes into the Education Fund, with the balance deposited into the General Fund (into which all the change tax goes now). The bill clarifies that if only a portion of a parcel is enrolled in the current use program, the portion not enrolled will be appraised at its fair market value as a separate parcel. The bill allows for an “easy out” for land currently enrolled so those who enrolled under the current withdrawal penalty can do so under the existing provisions between July 1 and October 1, 2015, but the benefits are limited to the first \$50,000 in change taxes to which the landowner would be subject under the new scheme, and only for whole parcel



withdrawals. Landowners withdrawing under this scenario cannot re-enroll any of the withdrawn parcel for five years. It is widely believed that these provisions will reduce the incentive for developers to “park” their land in current use to get a tax break as they prepare to develop parcels – the very thing that the current use program was created to discourage. VLCT supports these current use program changes proposed in H.272.

The House Ways and Means Committee, which sponsored H.272, has discussed at length saving some state dollars spent through this program. The total cost of the program is roughly \$60 million – \$45 million in reduced property taxes to the Education Fund and just under \$15 million in General Fund reimbursements to municipalities for their lost property taxes. State education property taxpayers all pay an extra 4.5 cent tax rate to provide these reduced taxes on enrolled land. A proposal to reduce the state subsidy for this program and increase the property taxpayers’ enrolled in the program obligations was not included in this bill but may be included in legislation yet to be introduced.

The bill creates a study committee to examine the current state program that reimburses towns for municipal property taxes lost under the program, due to some believing that town listers are inflating property values of current use enrolled parcels to increase the reimbursements to their towns. VLCT and the Vermont Assessors and Listers Association are represented on the committee, which is to issue a report to the legislature by next January. The Division of Property Valuation and Review (PVR) of the Department of Taxes is required to provide listers with training on how to appraise property enrolled in the current use program and that have permanent conservation easements on them.

Speaking of training, the bill expands the training opportunities for listers eligible for reimbursement from the state Education Fund. Under current law, PVR believed that only training it delivered directly could be eligible for funding under 32 V.S.A. § 4041a(a). H.272 would expand the funding to training provided by PVR, the Vermont Assessors and Listers Association, the International Association of Assessing Officers, the Vermont League of Cities and Towns, as well as individuals with whom PVR contracted to provide training, so long as PVR deems the programs to be beneficial.

The bill changes the definition of “homestead” used to determine which state education tax rate applies to certain properties for at least the sixth time since Act 60 was created, most recently, just last year. The definition would now include residences that are “owned and fully leased on April 1, provided the property is not leased for more than 183 days out of the calendar year.” H.272 also extends for another ten years a 10-percent property tax exemption for certain rent-restricted residential units.

Lastly of interest to municipalities, the bill would exclude certain “special assessments” from the definition of property taxes for the purposes of determining how much of the revenues generated from tax incremental financing (TIF) districts need to be shared through the state education property tax structure. These excluded assessments are specifically for the purpose of paying for sewer, water, or other public improvement benefitting a specific area within the city or town. A provision that would have clarified that the few municipally owned parking garages in the state – built at significant expense to support economic development in downtowns – are exempt from property taxes was in earlier drafts of H.272, but was deleted before the bill was advanced by the committee. VLCT supported that provision and will urge its inclusion in the Senate version of the bill.

Assuming the bill receives final approval by the House today (Friday), it will go to the Senate. As discussed above, similar provisions have not fared well there recently, particularly in the Senate Agriculture Committee. It will be interesting to see to which Senate committee H.272 is assigned. Local officials interested in seeing the provisions of H.272 enacted should contact their senators and urge them to approve the current use changes as passed by the House.

Contact Steve Jeffrey at 1-800-649-7915 or sjeffrey@vlct.org.

Senate Passes H.7

Last week, the Senate passed [H.7](#), a bill that amends 2 V.S.A. § 70 to give Capitol Police officers Level III certification. In Vermont, Level III officers have full police authority while Level II officers are limited to 21 categories of incidents and Level I officers are limited to dealing with transportation, security, and traffic control issues. This means that Capitol Police officers will be able to “arrest persons, enforce civil and criminal laws, keep the peace, provide security, and to serve civil and criminal process.” They will also have to subscribe to the same oath and undergo the same training requirements as other Level III officers.

H.7 also give state employees hired as investigators for the Department of Health who are Level III law enforcement officials the same powers as sheriffs in criminal matters and law enforcement. They will “have the same powers as sheriffs in criminal matters and the enforcement of the law and in serving criminal process, and shall have all the immunities and matters of defense now available.” Each year, a Department of Health investigator who is not Level III certified must obtain 25 hours of training in methods of conducting investigations of alleged unprofessional conduct. All Department of Health Board of Medical Practice investigators must obtain and maintain certification from a nationally or regionally recognized entity regarding the investigation of licensing cases. The bill also establishes a constable in the Village of North Troy to be appointed by the village trustees and who will be authorized to enforce village ordinances.

Over the last two years, the Criminal Justice Training Council worked with the law enforcement community, including municipal police, to standardize tiers of training for law enforcement officers. This legislation will apply the same training standards to Capitol Police and Department of Health investigators.

Contact Chloe Collins at 1-800-649-7915 or ccollins@vlct.org.

Gracias y Adiós

For some of you, this edition of VLCT’s *Weekly Legislative Report* will be the last you will receive as an elected local official. Town Meeting is next Tuesday, and some of you are choosing to retire, while the voters may decide to retire others of you. The board of directors and staff of VLCT want to thank you for your service to your community and to Vermont local governance. Our system of government demands much of our volunteer and marginally paid officials, and occasions arise when we ask ourselves whether our service and contributions are worth the time and sacrifice. Eleanor Roosevelt’s words – “The motivating force of the theory of a Democratic way of life is still a belief that as individuals we live cooperatively, and, to the best of our ability, serve the community in which we live...” – never ring truer than at those moments. Without your cooperation and service, we would not have had the choice of democracy.

Enjoy. Relax. Refresh. Let your successors step into your traces. When the spirit moves you again, you know how to be part of the solution and not more of the problem. There’s always room in local government for good people to serve.

If you just want to keep in touch with us, remember that you can view this *Report* every Friday afternoon throughout the legislative session at our website, www.vlct.org. There’s lots of other good stuff up there, too.

Again, thank you so much for your service.

NEW BILLS

BILL NUMBER	SUMMARY	CURRENT LOCATION
H.272	Would make numerous changes to Vermont's tax laws, including current use and technical tax changes. (See article on page 6.)	On Action Calendar; third reading ordered
H.275	Would provide economic and tax incentives to businesses to promote economic development throughout Vermont.	House Commerce & Econ. Development
H.276	Would give greater weight to municipal and regional plans in the Public Service Board approval process for electric generation facilities unless the facilities address reliability deficiencies, consist of rooftop solar, or will be located on a brownfield, gravel pit, landfill, or quarry.	House Natural Resources & Energy
H.277	Would permit a person who is 21 years of age or older to possess limited amounts of marijuana for personal use, while retaining civil and criminal penalties for possession above the limits and for unauthorized dispensing or sale of marijuana; provide civil penalties for a person who is under 21 years of age who possesses marijuana or attempts to procure marijuana from a registered marijuana establishment; and establish a Marijuana Control Board within the Department of Public Safety to be responsible for rulemaking and administering registrations for marijuana establishments.	House Judiciary
H.284	Would require the Joint Fiscal Office to identify all categories of spending from the Education Fund that are not attributable to local spending on pre-kindergarten through grade 12 education and the source of funding for those categories prior to including them among the authorized purposes for which the Education Fund is used; evaluate the cumulative impact that the shift of these categories to the Education Fund has had on property taxes; and develop a proposed process by which the responsibility to fund these categories shall be removed from the Education Fund.	House Education
H.288	(short form) Would provide incentives for municipal governments to take ownership of, use, and maintain school buildings that are closed as a result of consolidation while the future use of the building is being decided.	House Government Operations
H.291	Would require the Joint Fiscal Office to identify all categories of spending from the Education Fund that are attributable to health care services provided in public schools, quantify the amount of Education Fund dollars spent in those categories, and identify other sources of funding for the provision of the services.	House Appropriations
H.295	Would establish a fee of \$0.05 for each disposable carryout bag used by a person for the purpose of carrying goods, food, or other products from a retail establishment.	House Natural Resources & Energy
H.296	Would amend provisions related to the operation of sport shooting ranges, including establishing their authorized hours of operation.	House Fish, Wildlife & Water Resources
H.298	Would repeal the delinquent property tax penalty.	House Ways and Means
H.314	Would clarify Act 250 jurisdiction over the construction of improvements when the construction involves land in a so-called <i>10-acre town</i> and land in a <i>one-acre town</i> .	House Natural Resources & Energy
H.315	Would make miscellaneous amendments to 10 V.S.A. chapter 151 (Act 250).	House Natural Resources & Energy
H.316	Would allow a voter's spouse to pick up an early voter absentee ballot for him or her rather than having the ballot mailed.	House Government Operations
H.319	Would protect an employee from employer retaliation for taking time off to perform emergency duty as a volunteer firefighter or volunteer emergency medical personnel.	House Government Operations
H.323	(short form) Would double the authorized fines for speeding in a properly designated school zone.	House Transportation

BILL NUMBER	SUMMARY	CURRENT LOCATION
H.324	Would make numerous changes to Vermont's tax code, including the escheat of abandoned bottle deposits to the State, the elimination of the preferential treatment of capital gains income, a "pull-up" of income tax brackets for high income taxpayers, a minimum income tax, having banks pay the higher of the bank franchise tax or corporate income tax, lowering the estate tax exclusion to \$1 million, raising the property transfer tax for properties over \$500,000 in value, adding bottled water to the sales tax but exempting the first \$100 of clothing purchases, and creating a water extraction tax.	House Ways and Means
H.326	Would expand the aggravated murder statute to include the killing of a firefighter or an emergency medical provider.	House Judiciary
H.330	Would provide a landowner with immunity from liability for posting a sign warning about the dangers of swimming in a swimming hole on the landowner's property.	House Judiciary
H.341	Would give municipalities a role in the siting of solar net metering systems of 15 kW or less.	House Natural Resources & Energy
H.342	Would exempt temporary yard sale signs from the requirements of the sign law.	House Gen., Housing and Military Affairs
H.345	Would require the Secretary of Education to develop a detailed proposal to move the State to a single, statewide school district similar to the education governance model in Hawaii.	House Education
H.347	Would amend voter registration laws to allow a person to register to vote through the day of an election.	House Government Operations
H.349	(short form) Would require the award of attorney's fees to a party who prevails in litigation against and recovers damages from a person for violation of an environmental or conservation requirement enforceable under 10 V.S.A. chapter 201.	House Judiciary
H.350	Would provide that a person who, for compensation, transports less than 1½ tons of solid waste per day to a certified solid waste facility is not a commercial hauler of solid waste.	House Natural Resources & Energy
H.353	Would authorize the establishment of telecommunications union districts.	House Commerce & Econ. Development
H.358	Would require that, when reviewing a proposed solar generation facility that will be ground-mounted and located outside a commercial or industrial zone, the Public Service Board defer to municipal and regional recommendations unless they lack a rational basis or are clearly outweighed by the facility's benefits to the State, or the facility will be located on a brownfield site. Would enact decommissioning requirements for solar generation facilities with a capacity greater than 15 kilowatts.	House Natural Resources & Energy
H.359	Would amend the definition of "existing settlement" under 10 V.S.A. chapter 151 (Act 250) to include existing industrial parks and discrete areas designated for expansion in the applicable municipal or regional plan.	House Natural Resources & Energy
S.111	Would prohibit teachers and school administrators from striking and school boards from imposing contracts and to require mandatory binding arbitration.	Senate Education
S.114	Would amend provisions of the Open Meeting Law related to voting at and notice of meetings at which members of a public body participate electronically, the posting of meeting minutes, and criminal and civil enforcement of the law.	Senate Government Operations

Correction

The Senate Government Operations Committee – and *not* the House Government Operations Committee as we reported in [Weekly Legislative Report No. 8](#) – has been discussing “marijuana legalization; the Vermont way” on several consecutive Fridays. The discussion occurred on February 13th and February 20th and will continue today and on future Fridays.