

# 2023 Weekly Legislative Report #17

This week marks this session's last regular *Weekly Legislative Report*. Make sure to join us for the last regular Advocacy Chat on May 1. We'll be back with the Legislative Wrap-Ups — both written and chat versions — in June.

## [The Budget!](#)

The Senate Appropriations Committee voted out its version of the \$8.5 billion budget last Friday afternoon. This week, the main order of business was passing the Senate version. H.494 was voted out of the Senate on Thursday and will go next to a conference committee.

In general, the items that affect local governments and the education fund directly are not changed between the House and Senate budgets, as the Appropriations Table in this week's report demonstrates. However, there are significant priority differences between the House and Senate versions of the budget on big ticket items that will need to be resolved, and substantial disagreements with the priorities of Governor Scott, who opposes the new fees and taxes that Vermonters would need to pay to fund proposed new or expanded programs such as universal school meals, childcare, and paid family leave. And the bill contains language throughout – not just dollars – that would affect any number of programs, both new and existing.

The Senate Appropriations Committee chair assured senators that the committee was attentive to the fact that surpluses due to huge influxes of federal dollars are coming to an end, and the chair explained that the committee was vigilant about not using one-time surplus dollars to pay for ongoing expenses.

## **Miscellaneous One-Time Appropriations (B.1100)**

Housing and land use regulation – both local and statewide– has been an issue all session. Both House and Senate versions of the budget appropriate:

- \$1 million to digitization of Natural Resources Board (Act 250) records and \$200,000 for an Act 250 study (B.1100(q)(1) and (2)) from one-time funds
- \$1 million to Forest, Parks and Recreation for outdoor recreation grant match for small communities
- \$1 million to the Department of Environmental Conservation for PFAS technical assistance and \$5 million for PFAS remediation
- \$100,000 for an Emergency Medical Services Study to provide recommendations to the legislature for improving the efficiency, effectiveness and coordination of EMS

Readers may recall that the House appropriated \$80,650,000 in one-time funds for affordable housing development including \$20 million for manufactured housing, an amount that was added on the House floor, and \$500,000 for bylaw modernization grants. The Senate did not fund the manufactured housing proposal and included the bylaw modernization grants as part of \$800,000 Municipal Planning Grants, to be paid from Property Transfer Tax revenues. The Senate total appropriation in this category is \$60 million. The Senate also included \$10 million for missing middle rental housing in its “contingent appropriations cash fund for capital and essential investments” – that is, if funds are available. Those funds would go to the Vermont Housing Finance Agency to administer.

### **The Senate bill would appropriate**

- \$100,000 to the Secretary of State for grants to municipalities which decide to use ranked choice voting
- \$200,000 to the Agency of Education to support work of the school construction task force
- \$2.5 million General Fund for assessment and cleanup planning for up to 25 brownfield sites
- \$1 million General Fund for polyfouoroalkyl substances (PFAS) technical assistance and \$5 million for statewide PFAS groundwater remediation

A new Rural Industry Development Grant Program that was funded with \$5 million in the House-passed bill was moved to the list for contingent funding, meaning that the program would be funded if dollars were available. The program would be in the Agency of Commerce

and Community Development (ACCD) to provide funding through local development corporations for business relocation and expansion efforts, and the ACCD Secretary could designate projects and agreements as first priority in rural communities that continue to experience insufficient economic and grand list growth.

## **Transportation and Capital Bill Match (C.107)**

The Senate included sufficient funds (\$25 million) to fully match requirements for federal dollars over the next three years that are expected from the federal Infrastructure Investment and Jobs Act (IIJA) for transportation related projects in FY25 and FY26. Likewise, the Senate included \$14.5 million from the same Cash Fund for Capital and Essential Investments to fully match anticipated federal dollars for water and wastewater related projects from the IIJA in FY25 and FY26. As was the case in the House-passed bill, capital projects that would have appeared in the Capital bill in years past, if funded with one-time appropriations, appear this year in the appropriations bill.

- \$9.8 million state match to IIJA Drinking Water State Revolving Loan Fund (RLF) through the Agency of Natural Resources (ANR)
- \$4 million Municipal Pollution Control Grants – projects and planning advances through ANR
- \$10 million to the Department of Housing and Community Development for the Vermont Housing Finance Agency RLF for missing middle rental housing
- \$5 million to the Department of Economic Development for a new Rural Industrial Development Grant Program

## **Department of Motor Vehicles Fees**

H.494 as it was voted out of the Senate included fee increases for Department of Motor Vehicle (DMV) fees in 41 sections at the end of the bill. A motion to remove the fees failed on

the Senate floor on a vote of 22 – 7. According to the Joint Fiscal Office estimates, the DMV fees would raise approximately \$22 million.

### **Dispatch (Sec. C.112)**

H.494 states that “protecting public safety and welfare is an essential function of state government and that it is in the public interest to establish a statewide reliable, secure, and interoperable public safety communication system, comprising integrated 911 call-taking, and regional dispatch systems, and to ensure that the system is equitably and sustainably financed and universally accessible by all persons throughout the state.” The transition to the proposed system would be overseen by the E-911 Board in consultation with the Commissioner of Public Safety and Public Service, Secretary of Digital Services, and relevant state and local public safety and government stakeholders. The bill directs that establishing a statewide system occur in three phases – data collection and analysis, design, and implementation.

### **Executive Branch Positions (E.100)**

The House appropriated funding for 134 new positions, and the Senate appropriated funding for 168 positions, including 46 positions that would be converted to classified (i.e., permanent) positions.

### **Property Valuation and Review (PVR) Reappraisal Assistance (E.134)**

\$70,000 would be transferred to PVR to be used along with remaining funds for final payment of expenses incurred by the department or towns in defense of grand list appeals regarding

the reappraisals of hydroelectric plants and other expenses incurred to undertake utility property appraisals in the state.

## And Reports!

Reports, studies, and commissions are how the legislature “resolves” issues on which members want to take action but the votes aren’t there to pass a particular action. 2023 is a report-heavy session and not just in the budget bill.

- The budget does include continued funding of an Act 250 study and the School Construction Task Force.
- The Governor’s Council on Housing and Homelessness is encouraged to inventory and review affordable housing created since 2020, review housing assistance and funding levels, and provide recommendations to the legislature regarding those issues.
- By November 15, 2023 (extended from November of 2022), the Legislative Council is to submit a report on qualified immunity.
- A report on fees generally is called for.

Those are just a few of the reports that would affect local governments.

Please refer to the Appropriations table for the items in the appropriations bill that are consistent priorities for local governments.

## Resources for this article:

- [H.494 One Time Appropriations](#)
- [H.494 Transportation Appropriations](#)
- [H.494 Department of Motor Vehicles Fee Increases](#)

[Appropriations Table for FY24](#)

## H.494 – Appropriations FY24 (in millions of dollars)

| <b>Budget Item</b>                                       | <b>FY23 As<br/>Adjusted by H.<br/>145</b> | <b>Governor<br/>Proposed<br/>FY24</b> | <b>House<br/>Passed<br/>FY24</b> | <b>Senate<br/>Passed<br/>FY24</b> |
|--|---|---------------------------------------|----------------------------------|-----------------------------------|
| (GF) Homeowner Rebate (B137)                             | \$16.5                                    | \$16.25                               | \$16.25                          | \$16.25                           |
| (GF) Renter Rebate (B138)                                | 9.50                                      | 9.50                                  | 9.50                             | 9.50                              |
| (GF) Tax Dept. Reappraisal and Listing (B139)            | 3.39                                      | 3.39                                  | 3.39                             | 3.39                              |
| (GF) Municipal Current Use (B140)                        | 17.80                                     | 18.60                                 | 18.60                            | 18.60                             |
| (LOT 30%) PILOT State Buildings (B142)                   | 10.575                                    | 10.68                                 | 12.28                            | 12.28                             |
| (LOT 30%) PILOT Montpelier (B143)                        | 0.18                                      | 0.18                                  | 0.18                             | 0.18                              |
| (LOT 30%) PILOT Correctional Facilities (B144)           | 0.04                                      | 0.04                                  | 0.04                             | 0.04                              |
| (GF) Special Investigative Units (B206)                  | 2.16                                      | 2.23                                  | 2.23                             | 2.23                              |
| (GF/Interdept. Transfer) Criminal Justice Council (B221) | 3.46                                      | 4.07                                  | 4.07                             | 4.07                              |
| (SF) E-911 Board (B235)                                  | 4.59                                      | 4.80                                  | 4.80                             | 4.80                              |

| <b>Budget Item</b>                                       | <b>FY23 As<br/>Adjusted by H.<br/>145</b> | <b>Governor<br/>Proposed<br/>FY24</b> | <b>House<br/>Passed<br/>FY24</b> | <b>Senate<br/>Passed<br/>FY24</b> |
|--|---|---------------------------------------|----------------------------------|-----------------------------------|
| (SF) Cannabis Control Board<br>(B240)                    | 4.88                                      | 4.77                                  | 5.17                             | 5.17                              |
| (GF, EF, FF, Other) Education<br>Finance & Admin. (B500) | 35.81                                     | 36.84                                 | 37.34                            | 37.34                             |
| (EF) Special Education<br>Formula Grants (B502)          | 208.07                                    | 226.20                                | 226.20                           | 226.20                            |
| (EF) State-Placed Students<br>(B503)                     | 17.50                                     | 19.00                                 | 19.00                            | 19.00                             |
| (GF, EF) Flexible Pathways<br>(B504.1)                   | 9.14                                      | 10.14                                 | 10.14                            | 10.14                             |
| (EF) Adjusted Education<br>Payment (B505)                | 1,577.65                                  | 1,711.92                              | 1,703.32                         | 1,703.32                          |
| (EF) Education Transportation<br>(B506)                  | 21.79                                     | 23.52                                 | 23.52                            | 23.52                             |
| (EF) Small Schools Grants<br>(B507)                      | 8.20                                      | 8.30                                  | 8.30                             | 8.30                              |
| (EF) Education Universal<br>School Meals (B508)          | 0   | 29.00                                 | 29.00                            | 0..00                             |
| (EF) Essential Early Education<br>Grant (B510)           | 7.51                                      | 8.35                                  | 8.35                             | 8.35                              |
| (EF) Technical Education<br>(B511)                       | 16.25                                     | 17.03                                 | 17.03                            | 17.03                             |

| <b>Budget Item</b>  | <b>FY23 As<br/>Adjusted by H.<br/>145</b> | <b>Governor<br/>Proposed<br/>FY24</b> | <b>House<br/>Passed<br/>FY24</b> | <b>Senate<br/>Passed<br/>FY24</b> |
|---|---|---------------------------------------|----------------------------------|-----------------------------------|
| (GF, EF) Teachers'<br>Retirement (B514, E514,<br>E514.1 – 514.3)1 | 188.07                                    | 184.81                                | 184.81                           | 184.81                            |
| (GF EF) Retired Teachers'<br>Health/Medical (B515, E515)2         | 35.09                                     | 29.60                                 | 44.71                            | 44.71                             |
| (GF, Inter-Dept. Transfer)<br>ANR Lands PILOT (B701)              | 2.66                                      | 2.67                                  | 2.67                             | 2.67                              |
| (Property Transfer Tax)<br>Municipal Planning Grants<br>(D100)3   | 0.87                                      | 0.90                                  | 0.90                             | 0.90                              |
| (TF) Town Highway Structures<br>(B911, E911)                      | 7.20                                      | 7.42                                  | 7.42                             | 7.42                              |
| (TF, FF) Better Roads<br>Program (B912)                           | 0.41                                      | 0.48                                  | 0.48                             | 0.48                              |
| (TF) Town Highway Class 2<br>Roadway (B913)                       | 8.6                                       | 8.86                                  | 8.86                             | 8.86                              |
| (TF, TIB, FF) Town Highway<br>Bridges (B914)4                     | 29.16                                     | 36.01                                 | 36.01                            | 36.01                             |
| (TF) Town Highway Aid<br>(B915)                                   | 27.84                                     | 28.67                                 | 28.67                            | 28.67                             |
| (TF) Town Highway Class 1<br>Supplemental (B916)                  | 0.13                                      | 0.13                                  | 0.13                             | 0.13                              |



| <b>Budget Item</b>                                       | <b>FY23 As<br/>Adjusted by H.<br/>145</b> | <b>Governor<br/>Proposed<br/>FY24</b> | <b>House<br/>Passed<br/>FY24</b> | <b>Senate<br/>Passed<br/>FY24</b> |
|--|---|---------------------------------------|----------------------------------|-----------------------------------|
| (TF) Town Highway Non-federal Disaster Aid (B917)        | 1.15                                      | 1.15                                  | 1.15                             | 1.15                              |
| (TF, FF) Town Highway Federal Disaster Aid (B918)        | 0.18                                      | 0.18                                  | 0.18                             | 0.18                              |
| (TF, FF, Special) Municipal Mitigation Assistance (B919) | 6.45                                      | 6.45                                  | 10.49                            | 10.49                             |

**Table Notes:**

1. \$159,455,378 is the accrued liability contribution, and \$34,825,673 is the normal contribution, paid from the Education Fund. \$9,470,000 is paid by local educational entities.
2. \$43,701,482 is the accrued liability contribution, and \$17,550,000 is the normal contribution paid from the Education Fund. \$7,550,000 is paid by employers (school districts).
3. At least \$500,000 is to be used for bylaw modernization grants
4. This amount does not include local match dollars, which equal \$1,193,915.

**Citations in parentheses refer to the section in the budget bill where those items are found:**

- ARPA = American Rescue Plan Act
- CRF = Coronavirus Relief Fund
- EF = Education Fund
- FF= Federal Funds
- GF = General Fund
- LOT = 30% local option tax share remitted to state
- PILOT = Payment in lieu of taxes
- TF = Transportation Fund
- TIB = Transportation Infrastructure Bond
- USF= Universal Service Fund

[Local Option Tax Bill Not Moving Forward this Year](#)

VLCT was hopeful that [S.60](#) would move forward this year after the Senate pushed hard for its passage. The bill would extend authority to all towns to adopt local option taxes without securing approval from the legislature. Bills to that effect have been introduced in many previous sessions. Additionally, as amended by the Senate, the bill authorizes a municipality to assess any local option tax that was approved by the voters at the municipality's 2022 municipal meeting. This was done to allow South Hero to implement a local option tax that was approved by the voters without a charter authorization. The Town of South Hero does not have a governance charter.

Unfortunately, the House Government Operations and Military Affairs Committee does not expect to have the time to take up the bill this session. This is a huge disappointment. VLCT hopes that the committee prioritizes the bill early next session. The authorization is one of VLCT's top legislative priorities this biennium.

### [Municipal Charter Updates](#)

The legislature has already passed charter amendments for the Town of Springfield ([H.271](#)) and the Town of Barre ([H.418](#)), and they are heading to the governor for final approval. The Springfield charter amendment proposal makes several technical corrections with no substantive changes to the charter. The Town of Barre charter amendment proposal would amend the charter of the Town of Barre to remove the three elected town lister offices and assign all the lister duties to the town assessor. The town assessor will continue to be an appointed position. The charter also proposes to convert the office of town constable from an elected to an appointed office. The selectboard may prohibit the constable from exercising any law enforcement authority or may condition the exercise of that authority upon the constable being certified to exercise that level of authority under 20 V.S.A. 2358.

## **Merger of the Village of Lyndonville with the Town of Lyndon**

The House Government Operations and Military Affairs Committee voted out a bill that proposes to merge the Village of Lyndonville with the Town of Lyndon and adopt the first charter of the Town of Lyndon. The committee is proposing to amend [H.490](#) slightly. Those [amendments](#) are substantive, but minimal, and will assist in the smooth transition through the

dissolution and merger process. The House Ways and Means Committee will review the bill before it heads to the House floor for approval before it heads to the Senate.

## City of Burlington

The House Government Operations and Military Affairs Committee voted out all charter amendment proposals from the City of Burlington.

- [H.506](#) would adjust ward boundaries and establish a new district.
- [H.507](#) would amend the procedures for designating polling location in the city.
- [H.508](#) would implement ranked-choice voting for elections of the mayor, school commissioners, and ward election officers. Currently the city already uses ranked choice voting for election of city councilors.
- [H.509](#) would authorize city residents who are not U.S. citizens to vote in local elections for both city municipal elections and school district elections. Both the City of Winooski and the City of Montpelier have similar authorization in their city charters.

The charters head to the House floor for approval and then to the Senate Government Operations Committee for review.

## Village of Alburgh

The Senate Government Operations voted out the proposed charter amendment for the Village of Alburgh. The committee concurred with the House version. If the Senate approves it with no further amendments, it will head to Governor Scott for signature. [H.150](#) would amend the charter of the Village of Alburgh to move the positions of village clerk and village treasurer

to appointed positions and allow the offices to be filled by non-residents of the village.

## **Town of Shelburne**

The House passed the charter amendment proposal from the Town of Shelburne. [H.489](#) would amend the charter of the Town of Shelburne to authorize the town to adopt a one percent local option tax on sales, meals and alcoholic beverages, and rooms. The charter is now in the Senate Rules Committee and will be referred to the Senate Government Operations Committee next for further consideration.

## **Town of Ludlow**

The Senate Government Operations Committee passed the charter adoption proposal from the Town of Ludlow. Currently, the town does not have a charter. [H.488](#) would give the selectboard the sole authority to warn Town Meeting articles by floor vote or by the Australian Ballot system of voting. The Senate will consider the new charter next week.

## **Town of Middlebury**

The Senate Government Operations Committee passed the charter amendment proposal from Middlebury. [H.495](#) would amend the charter of the Town of Middlebury to convert the office of town treasurer from an elected position to an appointed position. The full Senate will consider the charter amendment next week.

## Town of Brattleboro

The Senate Government Operations Committee did an initial walkthrough of a charter amendment proposal from the Town of Brattleboro. [H.386](#) should sound familiar to many because this is the third year the legislature has considered its merits. The proposal would amend the charter of Brattleboro to allow youth voters aged 16 and 17 years old to participate in municipal government by voting at local elections and annual meetings, and to allow them to run for office in the Town of Brattleboro. In the previous biennium, this charter amendment was vetoed by the Governor, and the legislature was unable to override the veto. The committee was very receptive to the proposal and will take the bill up again next week.

Town of Berlin. The House passed the charter amendment proposal from the Town of Berlin. [H.504](#) would convert the town clerk office to an appointed position rather than an elected office. It would also authorize the town treasurer, after selectboard approval, to waive the personal property or inventory tax when the total assessed value of the personal property or inventory is \$1,650 or less. The charter amendment heads to the Senate Rules Committee before it heads to the Government Operations Committee.

## City of Rutland

The House passed the proposed charter amendment from the City of Rutland. [H.505](#) would authorize the Board of Aldermen to assess a one percent tax on sales. The charter would restrict the use of revenues from a sales tax to funding a capital improvement reserve fund in the city; to reduce the deficit in any underfunded pension; or to finance the construction, reconstruction, or repair of city buildings, streets, sidewalks, or other infrastructure. The charter amendment heads to the Senate Rules Committee before it heads to the Government Operations Committee.

## Town of St. Johnsbury

The House Government Operations Committee reviewed a charter amendment proposal from the Town of St. Johnsbury last week; however, it was not reviewed this week in committee. It is unclear when or if the charter will move forward. The charter amendment proposal would amend certain powers of the selectboard and the town manager, amend provisions governing the town's Downtown District, and generally reorganize various provisions of the existing charter.

## Town of Essex and City of Essex Junction

Two new charter amendment proposals were introduced this week.

- [H.518](#) would amend the Town of Essex charter to authorize the selectboard to adopt ordinances governing eviction without just cause, allow the town to adopt fees for certain local licenses, establish a procedure for the recall of selectpersons, replace the Zoning Board of Adjustment with the Development Review Board, and make other various reorganization changes to the existing charter.
- [H.516](#) would amend the charter of the City of Essex Junction to permit city councilors to hold city employment if permitted by general state law, permit the city council to appoint the city moderator, and authorize the city council to set the date of the city's annual meeting.

The House Government Operations Committee just received these charters, and it's unclear if or when the committee will take up the bills.

[Transportation and DMV Bills](#)

## The Transportation Bill

This year's Transportation bill is heading back the House next week so the House can consider the amendments proposed by the Senate. The Senate made several amendments to

the House-passed version of the bill that are largely not substantive in nature, particularly as they apply to municipalities. In addition to removal of the Department of Motor Vehicle (DMV) fees, the Senate Transportation Committee added a grant program to help continue the build-out and enhancement of the Lamoille Valley Rail Trail amenities and improve the visitor experience. (The DMV fees are in the Senate-passed budget, H.494.)

The committee adjusted language related to studying the state's public transportation system and how it is funded. In addition to studying potential nonfederal match funding sources, the committee proposes the state conduct a larger assessment of the statewide public transportation system. The assessment would review other public transportation systems across the country and make recommendations on modifications to the management of Vermont's statewide mobility service design to make it as efficient, robust, and resilient as possible and to fully maximize all available federal funding. The remaining changes proposed by the committee relate to slight adjustments to the Electrify Your Fleet Program, the E-Bike Incentive Program, and the Complete Streets Program; however, the changes were minor and depart only slightly from the House proposals.?

As VLCT Advocacy staff predicted, the Senate Transportation Committee made no substantive changes to the funding for municipal programs. Both the House and Senate Transportation committees aligned with the Governor's recommended budget for municipal program funding. A review of the funding to municipalities can be found in our [2023 Weekly Legislative Report #13??](#)

The Senate approved a last-minute [amendment](#) proposed by the Agency of Transportation that would authorize the agency to solicit proposals for the purchase or lease of the Caledonia County State Airport. A South Burlington electric aircraft manufacturer has expressed interest in utilizing this state-owned airport, spurring this proposal from the agency.

Although the House Transportation Committee has not had possession of the bill, they have reviewed the anticipated amendments proposed by the Senate for the past two weeks. It is likely the committee will act swiftly once they receive the bill from the Senate. The House Transportation Committee has identified several instances that they question from the Senate proposals of amendment, so the bill will likely either be further amended or the committee may ask for a Committee of Conference to negotiate the final terms of the bill.

## DMV Bill

The House Transportation Committee voted out the DMV bill last week, and the House Ways and Means Committee passed it out this week. The bill is currently in the House Appropriations Committee. The House Transportation Committee made various proposals amendment to [S.99](#) related to laws affecting DMV validation stickers, distracted driving, motor vehicle noise, towing of abandoned vehicles, and municipal speed limits. The House Transportation Committee amended the provision of S.99 the Senate included that would have reduced the speed limit statewide on municipal unposted, unpaved roads. The committee did this because it would have required the posting of additional signage that would have been an undue financial burden on municipalities. In its place, the committee charges the Agency of Transportation to consult with VLCT and Regional Planning Commissions to design and implement a program to provide outreach to municipalities on setting, posting, and enforcing speed limits on town highways. VLCT does not believe this is necessary as this information is [already available](#); however, it is a better option than the alternative of requiring all municipalities to post a new maximum speed limit on all unpaved town roads.

If the House Appropriations Committee votes on the bill this afternoon, the House will consider it early next week. It would then head to the Senate Transportation Committee by Wednesday or Thursday of next week.

[Law Enforcement and Judicial Reforms](#)

## Domestic Violence and Professional Regulation

The Senate Government Operations Committee voted out [H.476](#) this week. This bill would require all law enforcement agencies to adopt a statewide Domestic Violence Involving Law Enforcement Model Policy. That policy must be updated by the Law Enforcement Advisory Board by January 1, 2024. It would add two items to the list of unprofessional conduct of



certified law enforcement officers:

- attempting to, or causing physical harms to a family or household member, or placing a family member or household member in fear of imminent serious physical harm, and?
- violating the Domestic Violence Involving Law Enforcement Model Policy.?

In both instances, both on- and off-duty conduct would qualify as a violation.??

The bill would require the Vermont Criminal Justice Council (VCJC) to collect and annually report aggregate data regarding domestic and sexual violence and complaints of unprofessional conduct resulting in the filing of charges or stipulations or the taking of disciplinary action.?The Senate amended the bill to add a report from the VCJC. The report would study and analyze whether current law should be amended to add certain conduct of off-duty law enforcement officers to the enumerated list of unprofessional conduct regulated by the VCJC. It would also study whether current professional conduct that triggers VCJC action after a second offense should be changed to triggering VCJC action for a first offense. The report may also include any other recommendation as deemed appropriate by the VCJC.

## Fair and Impartial Policing

The Senate Government Operations Committee is set to vote out [H.482](#) today. The bill focuses on fair and impartial policing and broader professional regulations. It proposes to amend statute to remove the minimum number of hours mandated for fair and impartial policing training and instead require law enforcement to demonstrate competency in fair and impartial policing in order to maintain their certification. The VCJC must report to the legislature on how successful the new competency standard for fair and impartial training is and how it is measured, including precise metrics.

H.482 would mandate that the VCJC adopt rules with respect to Advanced Roadside Impaired Driving Enforcement training and law enforcement certification. The bill would amend the law related to roadside stop data collection and add that the date, time, and location of stops be collected and tracked. Lastly, the bill would mandate that prior to hiring a law enforcement officer, a hiring agency must have access to all previous employers' performance reviews of

the potential hire. Currently this information is only required from the officer's most recent employer.???

Lastly, the bill sets a new deadline of July 1, 2025, for the VCJC to finally adopt the rules regarding alternate routes to law enforcement certification – aside from the training provided at the Vermont Police Academy. The VCJC was supposed to already have such rules but has been unable to meet this requirement outlined under 20 V.S.A. § 2355. VLCT fully supports this initiative. It is vitally important that the state find additional and alternate law enforcement training opportunities that meet the modern needs of the communities that law enforcement serves in addition to the needs of potential recruits interested in the career path.??

### Election Legislation

VLCT Advocacy staff continues to follow two bills that would affect elections at the state and local levels.

The House Government Operations Committee continues to discuss [S.32](#), a bill that empowers towns, cities, and villages to implement ranked-choice voting in local elections and sets up a framework for moving the state toward statewide ranked-choice voting for statewide elections. The bill would authorize either the voters of a town, city, or village, or the legislative body, to vote to adopt a ranked-choice system of voting if they use Australian ballot voting for local elections. A town, city, or village may begin using ranked-choice voting at the 2024 annual meeting and then thereafter. If a town, city, or village votes to adopt a ranked-choice voting system but chooses to discontinue use of the system, only the voters are authorized to vote to discontinue ranked-choice voting, regardless of whether the initial authorization was approved by the voters at large or by the local legislative body.?

The bill further specifies the information that must be included on ballots, how tabulation of votes must be administered, and how voting results must be reported. It includes an appropriation to the Secretary of State's Office to help communities that vote to implement a ranked-choice voting system to educate and assist the municipality with implementation.??

S.32 also sets up a framework for moving the state toward statewide implementation of a ranked-choice voting system for statewide elections. A Ranked-Choice Voting Study Committee is proposed to study and make recommendations on how Vermont can implement such a voting system by 2026. A report from the committee would be due January 15, 2024,

to instruct further action by the legislature.??

The Senate Government Operations put a long pause on review of [H.429](#) a few weeks back, but will take the bill up again today for committee discussion. The bill includes what is known as a “Sore Loser Law” provision that prohibits candidates who lose in the primary from running in the general election, amends campaign finance contributions from individual candidates, and sets the order of nominee political parties printed on ballots. It also requires write-in candidates to meet minimum thresholds to win primary elections and enables electronic ballot returns to be made online. As it relates to impacts on local elections, the bill permits candidates to file demographic information with town clerks, which then is reported to the Secretary of State. We will likely know more later today on whether the committee intend to move this bill forward this session.

[Elsewhere In the State House](#)

## **H.110 Sunset on Telecommunications Facilities Applications to the Public Utility Commission**

The Senate took up a revised version of H.110 on Thursday. As that bill came to the Senate, it extended the sunset for telecommunication providers to opt to apply to the Public Utility Commission (PUC) for a certificate of Public Good instead of seeking permits from the local Development Review Board or Zoning Commission and Act 250. If no action is taken, the authority for an applicant to choose to go to the PUC would expire on July 1, 2023. H.110 would extend the deadline to July 1, 2026. The pertinent section of statute is 30 V.S.A. § 248a.

The Senate included a report on Section 248a that the Commissioner of the Department of Public Service in consultation with the Public Utility Commission would remit to the legislature by January 15, 2024. The report would address how to make the process easier for municipalities and individuals to participate in as well as how to encourage municipal participation. It would also recommend updates to the statute. The commissioner would need to hear from VLCT, utilities, and any other interested parties.

## H.480 Reappraisals

The Senate Government Operations Committee voted out H.480, the bill on reappraisals. As voted from their committee and now in the Senate Finance Committee, it would eliminate the Common Level of Appraisal (CLA) as a trigger for a reappraisal being ordered. It would direct PVR to put towns on a schedule to reappraise every six years. A municipality would also need to reappraise if its education grand list has a coefficient of dispersion greater than 20.

The bill would allocate \$100,000 each year from the Education Fund to PVR for assessment education of assessors and listers. In FY24, \$50,000 would be appropriated from the General Fund to the Department of Taxes to contract with consultants who have expertise in statewide reappraisal systems to assist in designing a statewide reappraisal office implementation proposal.

A study progress report is due to the legislature by December 15, 2023, from the Department of Taxes, on

- the first six months of work on an implementation plan,
- schedules for reappraisal, and
- defining new categories of homestead and non-homestead property that apply to both the municipal and statewide education grand lists and property taxes.

A detailed and comprehensive implementation plan for the statewide system to conduct reappraisals is due to the legislature by December 15, 2024. That report is to include recommended legislative language to define categories of property and integrating those definitions into municipal and education grand lists by January 1, 2026. The report would need to include means to achieve consistency in property valuation and taxation in order to prioritize the elimination of racial, socioeconomic, and other implicit biases.

The Senate Finance Committee is scheduled to take up H.480 on Friday afternoon. Once that committee votes out the bill and it is passed by the whole Senate, it is hoped that the House might accede to the Senate proposal of amendment.

[New Bill of Interest to Municipalities](#)

| Number                | Summary  | Current Location                                 |
|-----------------------|--|--|
| <a href="#">H.518</a> | Amendments to the charter of the Town of Essex | House Government Operations and Military Affairs |

[Opportunities of Note for VLCT Members](#)

## Vermont Plants Sunflowers for Ukraine

This Vermont-based community action group was founded last year. Their mission is to inspire acts of solidarity with the people of Ukraine by sharing thousands of free seed packets and inspiring the planting of hundreds of thousands of sunflowers in every corner of Vermont. This year, Vermont Plants Sunflowers for Ukraine is asking every town and city in Vermont as well as the appropriate branches of Vermont government, churches, schools, organizations, businesses, and individual Vermonters to join in this act of solidarity by planting sunflowers. These sunflowers will inspire Vermonters and others to support organizations working to meet the health and safety needs of the Ukrainian people during this humanitarian crisis.

For details, visit [www.vtsunflowers4ukraine.org/](http://www.vtsunflowers4ukraine.org/)

## Declaration of Inclusion

In recognition and deep appreciation of 110 municipalities having adopted the Declaration of Inclusion, representing 66 percent of the population, you are cordially invited to a Celebratory Event on Wednesday, May 10th from 7:00 to 8:30 PM at College Street Congregational Church in Burlington (at 265 College Street), or as [a hybrid event on Zoom](#).

Please join with these other municipalities as we applaud this first step and explore how to follow up with even more concrete actions. The event is sponsored by The Declaration of Inclusion Initiative and Vermont Interfaith Action (VIA), a federation of over 70 member and

affiliated congregations across the state working to effect systemic change on issues of social justice. Governor Phil Scott has been invited, and members of the media and administration and others are expected to attend.

Please register if you or someone else from your town or city will be attending by filling out this [Google form](#). We look forward to celebrating your willingness to make Vermont the most welcoming state in the country!

[Vermont Interfaith Action](#)

[The Declaration of Inclusion Initiative](#)

[Join Us for the Next Advocacy Chat](#)

Join us on May 1, 2023 for our last regular Advocacy Chat of the session. Then return on June 5th for the Legislative Wrap-Up Chat.

Register

[Contributors](#)

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