

**Summary of S.310,
“An act relating to natural disaster government response, recovery, and resiliency”**

Part 1. Creation of the Community Resilience and Disaster Mitigation Fund (Secs. 1-4)

This bill incorporates all sections of [S.145](#) (an act relating to the Community Resilience and Disaster Mitigation Fund), except for the findings. These sections create a Community Resilience and Disaster Mitigation Grant Program to be administered by the Department of Public Safety for the purpose of awarding grants for municipal disaster mitigation projects, now to include an annual report back to the Legislature. These sections also increase the amount to be annually allocated to the Emergency Medical Services Special Fund to be increased from \$150,000 to \$450,000.

- Note: In Sec. 3, the Senate Government Operations Committee had originally appropriated \$15,000,000 to initially stand up the fund. This was removed by the Senate Appropriations Committee and appears as “[Deleted].”

Part 2. Credit Facilities for Local Investments (Sec. 4a)

A new Sec. 4a will amend [10 V.S.A. § 10](#) by creating two new subsections: (c) will enable the State Treasurer to create an additional credit facility of up to 2.5% of the State’s average cash balance for financing local investments relating to climate infrastructure and resilience projects. (d) will require the Treasurer to annually report to the Legislature the activities, financing, and accounting of any credit facilities created pursuant to subsection (c).

Part 3. Defining “First Responder” (Sec. 5)

These sections create a definition of “first responder” to include public works personnel and water, wastewater, and stormwater personnel, **as well as licensed professionals who would provide clinical services and emergency care in hospitals and medical facilities created to address an all-hazards event.** These individuals are to be included with traditional emergency-oriented professions, like firefighters and police, for the purposes of emergency response planning for all-hazards events.

- Note: Secs. 6, regarding benefits for survivors of public works personnel, have been removed and appear as “[Deleted].”

Part 4. Emergency Management (Secs. 7-12)

These sections codify the State Emergency Management Plan as created by the Department of Public Safety’s Vermont Emergency Management Division and are to be updated as necessary, but at least every five years. Representatives from local libraries, arts and culture organizations, regional development corporations, local business organizations, and community-based emergency or charitable food providers, have been added to the list of nonvoting members of regional emergency management committees.

- Note: In Sec. 12, the Senate Government Operations Committee had originally created five and a half new Regional Emergency Management Program Coordinators and appropriated \$550,000. This was removed by the Senate Appropriations Committee and appears as “[Deleted].”

These sections also incorporate Secs. 14, 15, and 18 of [H.723](#) (an act relating to flood recovery), and all of [S. 223](#) (an act relating to the assessment of the Vermont Emergency Management Division’s disaster preparedness). This section requires the Department of Public Safety’s Division of Vermont Emergency Management (VEM) to perform an “after action review.” In addition to the federal Homeland Security Exercise and Evaluation Program’s requirements, the review may include examining the adequacy of early warning and evacuation orders, designated evacuation routes and emergency shelters, the present system of local emergency management directors in widespread emergencies, and the State’s present emergency communications systems. VEM will also publish best management practices for rebuilding after emergencies and report back to both the House and Senate Committees on Government Operations on both the outcome of the review and the best management practices.

Part 5. Municipal Stormwater Utilities (Secs. 13-15)

These sections modify how stormwater rates are assessed and how the associated revenue may be used. Sewage system commissioners may now set stormwater rates for equivalent residential units based on an average area of impervious surface on residential property within the municipality. Revenues may be used for stormwater management, control, and treatment; flood resiliency; floodplain restoration; and other similar measures.

Part 6. Creation of the Urban Search and Rescue Team (Sec. 16)

This bill incorporates Sec. 6 of [H.627](#) (an act relating to emergency preparedness and hazard response). This section will create the Urban Search and Rescue (USAR) Team within the Department of Public Safety.

- Note: In Sec. 16, the Senate Government Operations Committee had originally allocated \$750,000.00 annually to the Department of Public Safety to facilitate the operations of the USAR Team. This was removed by the Senate Appropriations Committee and appears as “[Deleted].”

Part 7. Vermont-211 Information Privacy (Sec. 17)

This section requires Vermont 211 to keep confidential any personal information acquired from victims of natural disasters except for coordinating relief work for affected individuals.

Part 8. Emergency Communications (Sec. 18-20)

These sections require VEM, in consultation with the Enhanced E-911 Board, to develop a policy using E-911 to provide more effective VT-Alerts in large emergencies. These sections will also require the Enhanced 911 Board, in consultation with the Public Utilities Commission, to evaluate and report on the current tariffs for service elements necessary for the provision of Enhanced 911 services.

- Note: Part of Sec. 19, as originally proposed by the Senate Government Operations Committee, has been restored; this will modernize statutory language so that “originating carriers” are required to provide location and caller data in accordance with current 911 standards. The additional proposed requirements concerning notification of outages impacting communication *remain omitted*.

Part 9. Language Assistance Services for State Emergency Communications (Secs. 21-23)

These sections require VEM to ensure language assistance services are being provided to individuals who are Deaf, Hard of Hearing, and DeafBlind and to individuals with limited English proficiency for all State emergency communications. These sections also create the “Language Assistance Services for Emergency Communications Working Group” to develop and report on best practices for the distribution of language assistance services on mass communication platforms to ensure emergency communications are being effectively delivered to individuals who are Deaf, Hard of Hearing, or DeafBlind and to individuals with limited English language proficiency.

- Note: In Sec. 22, the Senate Government Operations Committee had originally appropriated \$15,000 for improving State Police radio communications and \$25,000 for outreach to increase VT Alert registration and emergency preparedness. This was removed by the Senate Appropriation Committee and appears as “[Deleted].”

Part 10. Post-Secondary Disaster Management Programs (Sec. 24)

This section will require the Vermont State University and the President or designee for the University of Vermont to report on potentially creating post-secondary disaster management programs.

Part 11. Emergency Powers of the Governor and Emergency Management (Secs. 25-35)

These sections remove some instances of catch-all language in the Governor’s emergency powers so that the powers are limited to the scope of each statutory section. These require the Governor to follow regular gift, grant, and loan acceptance procedures pursuant to 32 V.S.A. § 5, but permit the Governor to accept gift, grant, and loan unilaterally if there exists a reasonable expectation that without the acceptance the all-hazards event will imminently cause bodily harm, loss of life, or significant property damage within the State. These add a member to the State Emergency Response Commission to be from the public works sector and modify who appoints the public members of the Commission. These also bring terminology into conformance across statutory sections (e.g. “proclaim” versus “declare” an emergency).

- Note: In Secs. 36-37, the Senate Government Operations Committee had originally created a “Continuing Local Economic Damage Grant Program,” based on similar grants created in [H.839](#) (an act relating to fiscal year 2024 budget adjustments), to support municipalities that were impacted by the August and December 2023 flooding events. \$200,000 was to be appropriated to stand up this program and \$830,000.00 was to be transferred from the General Fund to the Emergency Relief and Assistance Fund. These were removed by the Senate Appropriation Committee and appear as “[Deleted].”

Part 12. Effective Date (Sec. 38)

This act shall take effect on July 1, 2024, except Sec. 21, which will take effect on July 1, 2025, to allow the Working Group’s report to be issued before the language assistance services requirements of 20 V.S.A. § 4 take effect.