

1 **Draft Proposal from the House Committee on Government Operations**
2 **and Military Affairs to the H.494 House Conferees**
3 **Concerning Secs. C.112 and C.113**
4 **(Public Safety Communications; Dispatch)**
5

6 Sec. C.112 PUBLIC SAFETY COMMUNICATIONS SYSTEM;
7 DISPATCH; INVENTORY; DESIGN

8 (a) The General Assembly finds that protecting public safety and welfare is
9 an essential function of State government and it is in the public interest to
10 establish a statewide reliable, secure, and interoperable public safety
11 communications system, comprising integrated 911 call-taking and regional
12 dispatch systems, and to ensure that the system is equitably and sustainably
13 financed and universally accessible by all persons throughout the State.

14 (b) It is not the intent of the General Assembly to establish a public safety
15 communications system that disrupts or in any way jeopardizes the exceptional
16 dispatch services currently in place or the existing 911 system, but rather to
17 support, enhance, strengthen, and build upon those efforts and initiatives.

18 (c) The transition to a public safety communications system as specified in
19 subsection (a) of this section shall be overseen and managed by the temporary
20 Public Safety Communications Task Force established in subsection (d) of this
21 section.

22 (d)(1) There is established a Public Safety Communications Task Force to
23 oversee and manage all phases of the development, design, and

1 implementation of a statewide public safety communications system as
2 required by this section.

3 (2) The Task Force shall consist of seven members as follows:

4 (A) the Executive Director of the Enhanced 911 Board, who shall
5 serve as Co-Chair;

6 (B) the Commissioner of Public Safety or designee, who shall serve
7 as Co-Chair;

8 (C) one municipal ~~officer~~ official appointed by the Executive
9 Director of the Vermont League of Cities and Towns;

10 (D) one representative from a public safety answering point overseen
11 by a municipal police department appointed by the Vermont Association of
12 Chiefs of Police;

13 (E) one emergency medical technician or paramedic appointed by the
14 Vermont State Ambulance Association;

15 (F) one firefighter appointed by the ~~Vermont Career Fire Chiefs~~
16 ~~Vermont State Firefighters' Association~~; and

17 (G) the Chair of the Regional Dispatch Working Group established
18 by the General Assembly in Act 185 of 2022.

19 (3) At its initial organizational meeting the Task Force shall elect from
20 among its members a vice chair. Meetings may be held at the call of a Co-
21 Chair or at the request of two members. A majority of sitting members shall

1 constitute a quorum, and action taken by the Task Force may be authorized by
2 a majority of the members present and voting. Except for those members
3 regularly employed by the State, members are entitled to a per diem in the
4 amount of \$150.00 for each day spent in the performance of their duties. All
5 members, including members otherwise regularly employed by the State, shall
6 receive their actual and necessary expenses when away from home or office
7 upon their official duties pursuant to this section. A vacancy shall be filled by
8 the respective appointing authority. If the Chair of the Regional Dispatch
9 Working Group declines to participate as a member of the Task Force, the
10 Task Force shall appoint one member who shall have expertise relevant to the
11 purposes of this section.

12 (4) The Task Force is authorized to retain a project manager and one or
13 more additional consultants with relevant expertise in public safety
14 communications technology, design, and financing to assist with the
15 requirements of this section.

16 (5) The Department of Public Safety shall provide the Task Force with
17 administrative services and support.

18 (6)(A) The Task Force, in consultation with the Secretary of
19 Administration, shall develop procedures and best practices for State agency
20 cooperation and coordination on matters of overlapping jurisdiction. The
21 primary purpose of this subdivision is to ensure the Task Force has access to

1 expertise and data related to its mission, including expertise within and data
2 maintained by the Department of Public Service, the Agency of Digital
3 Services, the Division of Emergency Preparedness, Response and Injury within
4 the Department of Health, the Department of Taxes, the Agency of
5 Transportation, the E-911 Board, and the Department of Public Safety.

6 (B) Nothing in this subdivision shall be construed to waive any
7 privilege or protection otherwise afforded information by law due solely to the
8 fact that the information is shared with the Task Force pursuant to this
9 subdivision.

10 (7) All meetings of the Task Force shall be open to the public and
11 conducted in accordance with the Vermont Open Meeting Law. All records of
12 the Task Force are subject to the Vermont Public Records Act.

13 (8) The Task Force shall cease to exist when a State entity authorized by
14 legislative enactment to permanently oversee and manage the public safety
15 communications system becomes operational.

16 (e) The establishment of a statewide public safety communications system
17 shall occur in essentially three phases, which include data collection and
18 analysis, design, and implementation. Certain aspects of each phase may occur
19 simultaneously as deemed appropriate by the Task Force.

20 (1) Data collection and analysis. On or before September 15, 2024, the
21 Task Force shall conduct a complete inventory and assessment of all aspects of

1 dispatch service currently provided in Vermont and, to the extent possible,
2 dispatch service currently provided outside Vermont for response agencies
3 located in Vermont, which shall include:

4 (A) an inventory of all existing dispatch infrastructure and
5 equipment, including facilities, hardware, software, applications, and land
6 mobile radio systems, referring to and incorporating any existing relevant data
7 collected by a State or municipal entity;

8 (B) the number of full-time and part-time personnel currently
9 performing dispatch service, taking into account personnel who have other
10 responsibilities in addition to providing dispatch service;

11 (C) the current total spending on dispatch service in Vermont that
12 includes and itemizes for each municipality and dispatch center all federal,
13 State, and municipal appropriations and fees, every contract for dispatch or
14 first responder service, and projected budgets;

15 (D) to the extent feasible, identification of the communications dead
16 zones in the State, meaning those areas that lack the infrastructure to support
17 public safety land-mobile-radio communications or cellular voice and data
18 service, or both, and taking into consideration all cell towers, including those
19 that are part of the FirstNet statewide public safety radio access network;
20 cellular mapping efforts conducted by the Department of Public Service; and

1 any existing, relevant mapping data collected by a dispatch center or other
2 entity;

3 (E) with the assistance of the Vermont League of Cities and Towns, a
4 needs assessment to determine where and to what extent there are gaps in
5 dispatch service or significant challenges to the delivery of dispatch service
6 and to identify those municipalities that are likely to be most affected by either
7 the curtailment of dispatch service from the two State-run public safety
8 answering points or from a new financing mechanism for the continuation of
9 such service;

10 (F) an assessment of the service provided by each dispatch center and
11 identification of particular challenges or vulnerabilities, if any, including with
12 regard to workforce, failover procedures, communications technology, costs,
13 and governance; and

14 (G) collection and assessment of any other information the Task
15 Force deems relevant.

16 (2) Design. On or before January 15, 2024, the Task Force shall
17 develop findings and recommendations related to draft elements of a
18 preliminary design for a public safety communications system, including
19 identification of a proposed implementation timeline and any additional data
20 and resources needed to develop a final design on or before December 15,
21 2025 2024. The final design shall include:

1 (A) technical and operational standards and protocols that ensure an
2 interoperable and resilient system that incorporates computer-aided dispatch
3 systems and land mobile radios;

4 (B) technology life-cycle standards to ensure system and database
5 upgrades are timely, sufficiently financed, and properly managed;

6 (C) system and database security and cybersecurity standards;

7 (D) continuity of operations standards and best practices that
8 encompass failover procedures and other system redundancies to ensure the
9 continuous performance of mission-critical operations;

10 (E) workforce training standards and other staffing best practices that
11 support the retention and well-being of dispatch personnel;

12 (F) a resource allocation plan that ensures dispatch service is
13 available in all regions of the State, including the establishment of new
14 dispatch centers or expanded capacity and capability of existing dispatch
15 centers, if deemed appropriate by the Task Force;

16 (G) a process for annually reviewing the budgets of dispatch centers;

17 (H) a recommended governance model to ensure effective State and
18 regional oversight, management, and continuous improvement of the system,
19 including identification of staffing or operational needs to support such
20 oversight and management of the system;

1 (I) cost estimates for implementing the system in Vermont, including
2 operational and capital costs;

3 (J) options for sustainably and equitably structuring the financing of
4 the public safety communications system, taking into consideration:

5 (i) existing budgets for regional and local dispatch;

6 (ii) the population, grand list, and call volume of each
7 municipality;

8 (iii) existing and potential State funding streams;

9 (iv) available federal funding opportunities for public safety
10 agencies and emergency communications systems, including equipment,
11 network infrastructure, and services; and

12 (v) financing models adopted in other jurisdictions for public
13 safety communications systems; and

14 (K) any other standards or procedures deemed necessary or
15 appropriate by the Task Force.

16 (f)(1) If the Task Force determines that sufficient minimum technical and
17 operational standards have been developed to warrant the funding of one or
18 more pilot projects, the Task Force may submit for approval a pilot project
19 plan to the Joint Fiscal Committee in calendar year 2023.

20 (2) Pilot projects eligible for funding under this subsection may include
21 new regional dispatch centers or expanded capacity at existing regional

1 dispatch centers, provided the Task Force determines the pilot demonstrates
2 project readiness and is otherwise consistent with the standards and purposes
3 of this section.

4 (3) In evaluating proposed pilot projects, the Task Force shall give a
5 high priority to projects in geographical areas of the State that presently face
6 significant challenges with respect to reliably providing dispatch service.

7 (4) The pilot project plan shall include a description of each proposed
8 project, the resources needed, and an explanation of how the project will align
9 with, inform, and further the development of a statewide public safety
10 communications system and ensure transparency and accountability
11 particularly with respect to the expenditure of State funds pursuant to this
12 subsection.

13 (5) The Joint Fiscal Committee is authorized to approve up to
14 \$4,500,000.00 in total for pilot projects authorized by this subsection.

15 (g) On or before January 15, 2024, the Task Force shall submit a progress
16 report on the data collection and analysis required by subdivision (e)(1) of this
17 section, the findings and recommendations required by subdivision (e)(2) of
18 this section, and a description and status report of any pilot projects funded
19 pursuant to subsection (f) of this section in a written report to the Senate
20 Committees on Government Operations and on Finance and the House
21 Committees on Government Operations and Military Affairs, on Ways and

1 Means, and on Environment and Energy. On or before December 15, 2024,
2 the Task Force shall submit to the same legislative committees a written report
3 containing its final design plan as required by subdivision (e)(2) of this section.

4 Sec. C.113. 2022 Acts and Resolves No. 185, Sec. B.1100 is amended to read:

5 Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND

6 APPROPRIATIONS

7 * * *

8 (b) \$11,000,000 is appropriated from the General Fund to the
9 Department of Public Safety for regional dispatch funding. The funds are
10 subject to the following conditions:

11 (1) ~~\$4,500,000 shall be held in reserve until the report required by~~
12 ~~Sec. E.209.1 of this act is submitted and further approval to expend the funds is~~
13 ~~granted by the General Assembly~~ Up to \$1,000,000 shall be available for the
14 retention of technical experts to assist the Task Force with the analysis and
15 planning required by Sec. C.112 of this act and to fund the administrative
16 expenses incurred by the Public Safety Communications Task Force. If the
17 Task Force determines in calendar year 2023 that additional funding is
18 necessary to achieve its purposes, it may submit a request to the Joint Fiscal
19 Committee. The Joint Fiscal Committee is authorized to approve up to an
20 additional \$1,000,000.

1 OFFICE STUDY

2 On or before January 15, 2024, the Joint Fiscal Office shall analyze options
3 for changing the financing mechanism for the Vermont Universal Service Fund
4 to ensure the long-term sustainability of the programs funded through the
5 VUSF, including the Enhanced 911 system. The Joint Fiscal Office may
6 consider and further refine the analysis and recommendations included in the
7 Secretary of Administration’s report related to the funding of Enhanced 911
8 operations, dated January 15, 2022, and required by 2021 Acts and Resolves
9 No. 74, Sec. E.235.

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11 **Effective on passage.**