

H.130

An act relating to the Agency of Public Safety

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. AGENCY OF PUBLIC SAFETY; STUDY COMMITTEE; REPORT

(a) Creation. There is created the Agency of Public Safety Study Committee to recommend whether the General Assembly should enact legislation to create an Agency of Public Safety.

(b) Membership. The Committee shall be composed of the following 13 members:

(1) one current member of the House of Representatives, who shall be appointed by the Speaker of the House;

(2) one current member of the Senate, who shall be appointed by the Committee on Committees;

(3) the Commissioner of Public Safety or designee;

(4) the Commissioner of Fish and Wildlife or designee;

(5) the Commissioner of Motor Vehicles or designee;

(6) the Commissioner of Liquor Control or designee;

(7) the Executive Director of the Vermont Criminal Justice Training Council or designee;

(8) the Chief of the Capitol Police Department or designee;

(9) a sheriff appointed by the Executive Committee of the Vermont

Sheriffs' Association;

(10) a chief of a municipal police department, appointed by the Chiefs of

Police Association of Vermont;

(11) one law enforcement officer appointed by the Vermont Police

Association;

(12) the Secretary of State or designee; and

(13) the Director of the Office of Professional Regulation or designee.

(c) Powers and duties. The Committee shall study the current coordination of law enforcement services in the State and whether the creation of an Agency of Public Safety would enhance that coordination. In its study, the Committee shall consider the following issues:

(1) Current law enforcement services. The current roles and duties of law enforcement officers in the State, including:

(A) how the types of crimes committed in this State have evolved, and how that evolution has affected the roles and duties of law enforcement officers;

(B) the manner in which State, county, and municipal law enforcement entities share or coordinate their services;

(C) whether the Vermont State Police's provision of general municipal and regional law enforcement services is sustainable; and

(D) whether any municipalities should be required to maintain their own police department or contract for regional policing with other municipalities or with sheriffs.

(2) Dispatch. The manner in which dispatch services are currently provided and funded and whether there should be any changes to this structure.

(3) Agency structure. If the Committee recommends that an Agency of Public Safety should be created, the Agency's structure, including:

(A) any issues with the proposed structure or operations of the Agency as set forth in this act as it was originally introduced (2015, H.130); and

(B) the entities that should be under the jurisdiction of the Agency, including whether any of the following entities should be added to the Agency:

(i) the Vermont Criminal Justice Training Council;

(ii) wardens of the Department of Fish and Wildlife;

(iii) the Capitol Police Department;

(iv) liquor control investigators; or

(v) motor vehicle inspectors.

(4) Law enforcement officer regulation. The current regulation of law enforcement officers' certification and how that regulation should change, including:

(A) whether the profession's regulation should be transferred from the Vermont Criminal Justice Training Council to the Office of Professional Regulation;

(B) whether each law enforcement agency should be required to have an effective internal affairs program and, if so, what should be included in that program;

(C) when and under what circumstances a law enforcement agency should report alleged unprofessional conduct to the Council or the Office;

(D) when the Council or the Office should be able to investigate and take further action on reports of alleged law enforcement officer unprofessional conduct, including the Council's or the Office's ability to summarily suspend an officer; and

(E) what types of discipline the Council or the Office should be able to impose on a law enforcement officer's certification.

(d) Assistance. The Committee shall have the administrative, technical, and legal assistance of the Office of Legislative Council and the Joint Fiscal Office.

(e) Report. On or before December 1, 2016, the Committee shall report to the House and Senate Committees on Government Operations with its findings and any recommendations for legislative action. The report may be in the form of proposed legislation.

(f) Meetings.

(1) The House and Senate members of the Committee shall call the first meeting of the Committee, to occur on or before August 1, 2016.

(2) The House and Senate members shall be co-chairs of the Committee.

(3)(A) A majority of the membership shall constitute a quorum.

(B) Notwithstanding 1 V.S.A. § 172, an action may be taken by the Committee with the assent of a majority of the members attending, assuming a quorum.

(4) The Committee shall cease to exist on December 2, 2016.

(g) Reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, legislative members of the Committee shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than five meetings.

(2) Other members of the Committee who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010 for no more than five meetings.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.