

TO THE HONORABLE SENATE

The Committee on Institutions to which was referred House Bill No. H. 183, entitled "An act relating to security in the Capitol Complex"

respectfully reports that it has considered the same and recommends that the Senate propose to the House to amend the bill in Sec. 1, 2 V.S.A. chapter 30, § 991, in subsection (b), subdivision (2), by striking out subsection (b), subdivision (2) in its entirety and inserting in lieu thereof the following:

(2) In the first year, the Chair of the House Committee on Corrections and Institutions shall serve as Chair of the Committee and the Chair of the Senate Committee on Institutions shall serve as Vice Chair. Annually thereafter, the offices of Chair and Vice Chair shall rotate between the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions.

(Committee vote: 5-0-0)



Senator Flory
FOR THE COMMITTEE

ORIGINAL

BILL AS PASSED BY THE HOUSE
2015

H.183
Page 1 of 22

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H.183

Introduced by Representative Shaw of Pittsford

Referred to Committee on

Date:

Subject: State buildings; public safety; State Police; security; Capitol Complex

Statement of purpose of bill as introduced: This bill proposes to: (1) transfer oversight of the Capitol Police Department to the Vermont State Police, (2) transfer jurisdiction over security in the Capitol Complex to the Vermont State Police, and (3) amend the security duties and responsibilities of the Sergeant at Arms and Commissioner of Buildings and General Services.

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An act relating to security in the Capitol Complex

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

~~*** Capitol Police ***~~

Sec. 1. 20 V.S.A. § 1812 is amended to read:

§ 1812. DEFINITIONS

The following words and phrases, as used in this title, shall have the following meanings unless otherwise provided:

(1) "Commissioner," the ~~commissioner of public safety~~ Commissioner of Public Safety;

1 ~~Sec. 14. 29 V.S.A. § 185 is amended to read:~~

2 § 185. ENFORCEMENT

3 In addition to the other penalties provided herein, the ~~capitol complex~~
4 ~~commission~~ Capitol Complex District Commission may, in the name of the
5 state State, institute any appropriate action, injunction or other proceeding to
6 prevent, restrain, correct or abate any violation hereof or the rules ~~promulgated~~
7 adopted hereunder.

8 Sec. 15. 32 V.S.A. § 1010 is amended to read:

9 § 1010. MEMBERS OF CERTAIN BOARDS

10 (a) Except for those members serving ~~ex officio~~ or otherwise regularly
11 employed by the State, the compensation of the members of the following
12 Boards shall be \$50.00 per diem:

13 * * *

14 (12) Capitol Complex District Commission

15 * * *

16 Sec. 16. EFFECTIVE DATES

17 This act shall take effect on passage and transfer of the Capitol Police

18 ~~Department to the Vermont State Police shall occur on or before July 1, 2015.~~

Sec. 1. 2 V.S.A. chapter 30 is added to read:

CHAPTER 30. CAPITOL COMPLEX SECURITY ADVISORY COMMITTEE

§ 991. CAPITOL COMPLEX SECURITY ADVISORY COMMITTEE

(a) Creation. There is created an advisory committee for the purpose of:

(1) reviewing and coordinating security in the Capitol Complex; and

(2) enhancing communication, operability, and efficiency on security issues in the Capitol Complex among the Executive, Legislative, and Judicial branches.

(b) Membership.

(1) The Committee shall be composed of the following members:

(A) the Commissioner of Buildings and General Services or designee;

(B) the Commissioner of Public Safety or designee;

(C) the Commissioner of Motor Vehicles or designee;

(D) the Chief of the Capitol Police or designee;

(E) the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions;

(F) the Sergeant at Arms;

(G) the Court Administrator or designee; and

(H) the Chief of the Montpelier Police Department or designee.

(2) The Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions shall co-chair the Committee.

(3) The Committee shall have the assistance of the staff of the Office of Legislative Council and the Joint Fiscal Office.

(c) Powers and duties. The Committee shall:

(1) review proposed security enhancements and security plans for the Capitol Complex, and make recommendations to the House Committee on Corrections and Institutions and the Senate Committee on Institutions;

(2) review the coordination of security plans and law enforcement services in the Capitol Complex among the Commissioner of Buildings and General Services, the Court Administrator, and the Sergeant at Arms; and

(3) annually review the memorandum of understanding coordinating the provision of security plans and law enforcement activities in the Capitol Complex, as required by 29 V.S.A. § 171(f).

(d) Meetings. The Committee may meet at any time at the call of the Co-Chairs, ~~but no less than one time per year~~, but no more than two times when the General Assembly is not in session.

(e) Reimbursement. 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.

(f) Definition. As used in this section, "Capitol Complex" shall have the same meaning as in 29 V.S.A. § 182.

Sec. 2. 2 V.S.A. § 70(c) is amended to read:

(c) *Coordination of Capitol Complex security. The Capitol Police Department shall ~~coordinate~~ provide security within the State House and assist the Commissioner of Buildings and General Services in providing security and law enforcement services within the Capitol Complex, ~~as delineated in a memorandum of understanding signed by the Commissioner and the Sergeant at Arms no later than June 30, 2000, and as subsequently amended. In all other areas of the Capitol Complex, except the space occupied by the Supreme Court, the security, control of traffic, and coordination of law enforcement activity shall be under the direction of the Commissioner of Buildings and General Services, with which the Capitol Police Department may assist pursuant to the memorandum of understanding required by 29 V.S.A. § 171(f).~~*

Sec. 3. 29 V.S.A. § 171 is amended to read:

§ 171. RESPONSIBILITY FOR SECURITY

(a) *The ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall be responsible for ensuring the security of all ~~state~~ State facilities, regardless of funding source for construction or renovation, the lands upon which those facilities are located, and the occupants of those facilities and places, except that:*

(1) *in those ~~state-owned~~ State-owned or ~~state-leased~~ State-leased buildings which house a court plus one or more other functions, security for the space occupied by the court shall be under the jurisdiction of the ~~supreme~~*

~~court~~ Supreme Court and security elsewhere shall be under the jurisdiction of the ~~commissioner of buildings and general services~~ Commissioner of Buildings and General Services;

(2) in those buildings which function exclusively as courthouses, security shall be under the jurisdiction of the ~~supreme court~~ Supreme Court;

(3) the space occupied by the ~~supreme court~~ Supreme Court shall be under the jurisdiction of the ~~supreme court~~ Supreme Court; and

(4) in the ~~state house~~ State House, security shall be under the jurisdiction of the ~~sergeant at arms~~ Sergeant at Arms.

(b) ~~The commissioner of buildings and general services~~ Commissioner of Buildings and General Services shall develop a security plan for each facility, except for those under the jurisdiction of the ~~supreme court~~ Supreme Court and of the ~~sergeant at arms~~ Sergeant at Arms, and shall regularly update these plans as necessary and be responsible for coordinating responses to all security needs. ~~The supreme court and the sergeant at arms shall, in cooperation with the commissioner of buildings and general services,~~ Supreme Court and the Sergeant at Arms shall, in cooperation with the Commissioner of Buildings and General Services, prepare and update such plans for the facilities under their respective jurisdictions.

* * *

(f) The Commissioner of Buildings and General Services, the Sergeant at Arms, and the Court Administrator shall execute a memorandum of understanding to coordinate the provision of security plans and law enforcement services within the Capitol Complex. The memorandum of understanding shall incorporate any existing agreements related to the provision of law enforcement services or security in the Capitol Complex. As used in this section, "Capitol Complex" shall have the same meaning as used in section 182 of this title.

Sec. 3a. REPEAL

2 V.S.A. chapter 30 (Capitol Complex Security Advisory Committee) is repealed on June 30, 2019.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.