

TO THE HONORABLE SENATE

The Committee on Government Operations to which was referred House Bill No. H. 434, entitled "An act relating to law enforcement and fire service training safety"

respectfully reports that it has considered the same and recommends that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

\* \* \* Training Safety Subcommittee \* \* \*

Sec. 1. 29 V.S.A. § 842 is added to read:

§ 842. TRAINING SAFETY SUBCOMMITTEE; RECOMMENDATIONS;  
GOVERNANCE COMMITTEE REPORT

(a) Subcommittee creation. There is created as a subcommittee of the Training Center Governance Committee the Training Safety Subcommittee to make recommendations regarding training safety at the Robert H. Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont (Training Center).

(b) Subcommittee membership. The Subcommittee shall be composed of seven members.

(1) Four of these members shall be members of the Training Center Governance Committee, appointed by the Committee as follows:

(A) two shall represent the Vermont Police Academy; and

(B) two shall represent the Vermont Fire Academy.

(2) The remaining three members shall be as follows:

(A) the Commissioner of Labor or designee;

(B) the Risk Management Manager of the Office of Risk Management within the Agency of Administration; and

(C) one employee of the Vermont League of Cities and Towns who specializes in risk management, appointed by the Executive Director of the League.

(c) Subcommittee recommendations. The Subcommittee shall annually:

(1) on or before February 1, review the safety records of the Training Center; and

(2) on or before July 1, submit to the Training Center Governance Committee its recommendations regarding how training safety at the Training Center could be improved.

(d) Governance Committee review and report.

(1) The Training Center Governance Committee shall review and consider the recommendations made by the Subcommittee under subsection (c) of this section.

(2) Annually, on or before January 15, the Governance Committee shall report to the General Assembly regarding:

(A) any training safety issues it has discovered at the Training Center and any steps it has taken to remedy those issues; and

(B) whether the Governance Committee has instituted any of the Subcommittee's recommendations for training safety and if not, the reasons therefor.

(3) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report required to be made under this subsection.

Sec. 2. INITIAL TRAINING SAFETY SUBCOMMITTEE MEETING AND  
INITIAL TRAINING CENTER GOVERNANCE COMMITTEE  
REPORT

(a) The Chair of the Training Center Governance Committee shall call the initial meeting of the Training Safety Subcommittee set forth in 29 V.S.A. § 842 in Sec. 1 of this act to be held on or before February 1, 2017.

(b) The Training Center Governance Committee shall make its initial report to the General Assembly described in 29 V.S.A. § 842(d) in Sec. 1 of this act on or before January 15, 2018.

\* \* \* Risk Management \* \* \*

Sec. 3. WORKERS' COMPENSATION ADMINISTRATION AND  
OFFICE OF RISK MANAGEMENT STUDY COMMITTEE;  
REPORT

(a) Creation. There is created the Workers' Compensation Administration and Office of Risk Management Study Committee to study whether the workers' compensation adjustment and loss control functions of the Office of Risk Management in the Agency of Administration should be contracted out to a private entity and whether the Office of Risk Management should be given authority to implement safety measures necessary to reduce the cost of providing workers' compensation coverage to the State.

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

(1) the Secretary of Administration or designee;

(2) the Commissioner of Labor or designee;

(3) the Executive Director of the Vermont State Employees' Association or designee; and

(4) the Auditor or designee.

(c) Powers and duties. The Committee shall study whether the workers' compensation adjustment and loss control functions of the Office of Risk Management should be contracted out to a private entity and whether the Office of Risk Management should be given authority to institute safety measures necessary to reduce the cost of providing workers' compensation coverage to the State, including the following questions:

(1) what are the actions, if any, that the Agency of Administration, the Office of State Employee Workers' Compensation and Injury Prevention, and the Office of Risk Management have taken in response to the findings and recommendations of the Vermont State Auditor's 2013 Report on the State's Workers' Compensation Program, and have those actions resulted in any improvements in the performance of the Office of Risk Management or reductions in the annual cost of satisfying State employees' workers' compensation claims;

(2) whether providing the Office of Risk Management with the authority to require State agencies and departments to implement safety measures would reduce the annual cost of satisfying State employees' workers' compensation claims;

(3) whether providing the Office of Risk Management with the authority to require State agencies and departments to implement safety measures would reduce the frequency of work-related injuries among State employees;

(4) what are the likely costs and benefits to the State of contracting out the workers' compensation adjustment and loss control functions of the Office of Risk Management to a private entity, including any projected changes in the annual cost of satisfying State employees' workers' compensation claims, any projected changes in the amount of work-related injuries among State employees, and the projected annual cost of a private entity carrying out the workers' compensation adjustment and loss control functions of the Office of Risk Management; and

(5) how would the quality of the service provided to the State by a private entity carrying out the workers' compensation adjustment and loss control functions of the Office of Risk Management compare to the current level of service provided by the Office of Risk Management.

(d) Report. On or before December 31, 2016, the Committee shall submit a written report to the House Committees on Commerce and Economic Development and on Government Operations and the Senate Committees on Finance and on Government Operations with its findings, a recommendation as

to whether the workers' compensation adjustment and loss control functions of the Office of Risk Management should be contracted out to a private entity, and any recommendations for legislative, regulatory, or administrative action.

(e) Meetings.

(1) The Secretary of Administration shall call the first meeting of the Committee to occur on or before July 15, 2016.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) The Committee shall cease to exist on January 1, 2017.

Sec. 4. OFFICE OF RISK MANAGEMENT; PRIVATIZATION

Notwithstanding any provision of law to the contrary, until no sooner than January 20, 2017, the Agency of Administration shall not enter into a privatization contract, as defined in 3 V.S.A. § 341, for the workers' compensation adjustment and loss control functions of the Agency's Office of Risk Management.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

And that after passage the title of the bill be amended to read: "An act relating to establishing the Training Safety Subcommittee of the Training Center Governance Committee and to a study of risk management"

(Committee vote: 5-0-0)



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Senator Pollina  
FOR THE COMMITTEE