

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House  
3 Bill No. 434 entitled “An act relating to law enforcement and fire service  
4 training safety” respectfully reports that it has considered the same and  
5 recommends that the Senate propose to the House that the bill be amended by  
6 striking out all after the enacting clause and inserting in lieu thereof the  
7 following:

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

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

10 § 842. TRAINING SAFETY SUBCOMMITTEE; RECOMMENDATIONS;

11 GOVERNANCE COMMITTEE REPORT

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

17 (b) Subcommittee membership.

18 (1) The Subcommittee shall be composed of seven members.

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

21 (i) two shall represent the Vermont Police Academy; and

1                    (ii) two shall represent the Vermont Fire Academy.

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

3                    (i) the Commissioner of Labor or designee;

4                    (ii) the Risk Management Manager of the Office of Risk  
5 Management within the Agency of Administration; and

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

9                    (2) Members of the Subcommittee who are not employees of the State of  
10 Vermont and who are not otherwise compensated or reimbursed for their  
11 attendance shall be entitled to per diem compensation and reimbursement of  
12 expenses pursuant to 32 V.S.A. § 1010.

13                    (c) Subcommittee recommendations. The Subcommittee shall annually:

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

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

1           (d) Governance Committee review and report.

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

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

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

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

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

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

17                   (a) The Chair of the Training Center Governance Committee shall call the  
18          initial meeting of the Training Safety Subcommittee set forth in  
19          29 V.S.A. § 842 in Sec. 1 of this act to be held on or before February 1, 2017.



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

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

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

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

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

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

13           (d) Report. On or before December 31, 2016, the Committee shall submit a  
14           written report to the House Committees on Commerce and Economic  
15           Development and on Government Operations and the Senate Committees on  
16           Finance and on Government Operations with its findings, a recommendation as  
17           to whether the workers' compensation adjustment and loss control functions of  
18           the Office of Risk Management should be contracted out to a private entity,  
19           and any recommendations for legislative, regulatory, or administrative action.

1       (e) Meetings.

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

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

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

7       (f) Reimbursement. Members of the Committee who are not employees of  
8       the State of Vermont and who are not otherwise compensated or reimbursed  
9       for their attendance shall be entitled to reimbursement of expenses pursuant to  
10       32 V.S.A. § 1010 for no more than six meetings.

11       Sec. 4. OFFICE OF RISK MANAGEMENT; PRIVATIZATION

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

17       Sec. 5. EFFECTIVE DATE

18       This act shall take effect on passage.

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

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2 (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

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Senator \_\_\_\_\_

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FOR THE COMMITTEE

DRAFT