

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Appropriations to which was referred Senate Bill
3 No. 273 entitled “An act relating to miscellaneous law enforcement
4 amendments” respectfully reports that it has considered the same and
5 recommends that the report of the Committee on Government Operations be
6 amended as follows:

7 First: By striking out Sec. 4, 20 V.S.A. § 2352 (Council membership) in its
8 entirety and inserting in lieu thereof Secs. 4 and 4a to read:

9 § 2352. COUNCIL MEMBERSHIP

10 (a)(1) The Vermont Criminal Justice Training Council shall consist of:

11 (A) the Commissioners of Public Safety, of Corrections, of Motor
12 Vehicles, ~~and~~ of Fish and Wildlife, and of Mental Health;

13 (B) the Attorney General;

14 (C) a member of the Vermont Troopers’ Association or its successor
15 entity, elected by its membership;

16 (D) a member of the Vermont Police Association, elected by its
17 membership; ~~and~~

18 (E) ~~five additional members appointed by the Governor.~~

19 (i) ~~The Governor’s appointees shall provide broad representation~~
20 ~~of all aspects of law enforcement and the public in Vermont on the Council.~~

1 ~~(ii) The Governor shall solicit recommendations for appointment~~
2 ~~from the Vermont State’s Attorneys Association, the Vermont State’s Sheriffs~~
3 ~~Association, the Vermont Police Chiefs Association, and the Vermont~~
4 ~~Constables Association~~ a member of the Chiefs of Police Association of
5 Vermont, appointed by the President of the Association;

6 (F) a member of the Vermont Sheriffs’ Association, appointed by the
7 President of the Association;

8 (G) a law enforcement officer appointed by the President of the
9 Vermont State Employees Association;

10 (H) an employee of the Vermont League of Cities and Towns,
11 appointed by the Executive Director of the League;

12 (I) an employee of the Vermont Center for Crime Victim Services,
13 appointed by the Executive Director of the Center; and

14 (J) three public members who shall not be law enforcement officers
15 or current legislators or otherwise be employed in the criminal justice system,
16 one of whom shall be appointed by the Speaker of the House, one of whom
17 shall be appointed by the Senate Committee on Committees, and one of whom
18 shall be appointed by the Governor.

19 (2) A member’s term shall be three years.

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1 (c) The public members of the Council set forth in subdivision (a)(1)(J) of
2 this section shall be entitled to receive ~~no~~ per diem compensation for their
3 services, but the other members of the Council shall not be entitled to such
4 compensation; provided however, that all members of the Council shall be
5 allowed their actual and necessary expenses incurred in the performance of their duties. Per diem compensation
6 and reimbursement of expenses under this subsection shall be made as
7 permitted under 32 V.S.A. § 1010 from monies appropriated to the Council.

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10 **Sec. 4a. TRANSITIONAL PROVISION TO ADDRESS NEW COUNCIL**
11 **MEMBERSHIP**

12 Any existing member of the Vermont Criminal Justice Training Council
13 who will serve on the Council under its new membership as set forth in Sec. 4
14 of this act may serve the remainder of his or her term in effect immediately
15 prior to the effective date of Sec. 4.

16 Second: In Sec. 6 (Council; report on training alternatives), by striking out
17 the last sentence of that section (“The report may be in verbal form.”).

1 Third: By striking out Sec. 9 (Law Enforcement State Retirement Benefits
2 Study Committee; report) in its entirety and inserting in lieu thereof the
3 following:

4 Sec. 9. LAW ENFORCEMENT STATE RETIREMENT BENEFITS
5 STUDY COMMITTEE; REPORT

6 (a) Creation. There is created the Law Enforcement State Retirement
7 Benefits Study Committee to evaluate the requirements for membership in
8 Group C of the Vermont State Retirement System (System) and to make
9 recommendations to the General Assembly on any proposed changes to those
10 requirements.

11 (b) Membership.

12 (1) The Committee shall be composed of the following
13 10 members:

14 (A) a current member of the House Committee on Appropriations,
15 appointed by the Speaker;

16 (B) a current member of the Senate Committee on Appropriations,
17 appointed by the Committee on Committees;

18 (C) a current member of the House Committee on Government
19 Operations, appointed by the Speaker;

20 (D) a current member of the Senate Committee on Government
21 Operations, appointed by the Committee on Committees;

1 (E) the State Treasurer or designee;

2 (F) the Secretary of Administration or designee;

3 (G) the Commissioner of Human Resources or designee;

4 (H) the Commissioner of Public Safety or designee;

5 (I) the President of the Vermont State Employees' Association or
6 designee; and

7 (J) the Executive Director of the Vermont Troopers' Association or
8 designee.

9 (2) Any vacancy in membership shall be filled by the appointing
10 authority for the remainder of the term.

11 (c) Powers and duties.

12 (1) Group C analysis. The Committee shall review the requirements for
13 membership in Group C of the System as set forth in 3 V.S.A. § 455(a)(9)(B)
14 and (11)(C) and shall review all current employee positions classified as
15 Group C in order to perform the following analyses:

16 (A) whether the requirements for membership in Group C are
17 appropriately tailored to provide the appropriate retirement benefit to the
18 appropriate group of employees; and

19 (B) whether applicable federal requirements, including the provisions
20 of the Age Discrimination in Employment Act, merit changes to the
21 requirements of Group C.

1 (2) Retirement benefit recommendations. In accordance with its
2 findings made pursuant to subdivision (1) of this subsection, the Committee
3 shall make the following recommendations:

4 (A) whether any State employee positions currently in Group C
5 should be reclassified to another group within the System, given the nature of
6 the job duties performed by members in those positions;

7 (B) whether any State employee positions not currently in Group C
8 should be reclassified into Group C, given the nature of the job duties
9 performed by members in those positions; and

10 (C) whether the General Assembly should consider any revisions or
11 enhancements to the retirement benefits for certain State employee positions
12 that do not qualify for the current or recommended Group C requirements, if
13 the Committee finds that the nature of the position and job duties performed
14 merit such revisions.

15 (3) Legal and IRS compliance consulting; appropriation. The amount of
16 \$5,000.00 is appropriated to the Office of Treasurer for the purpose of
17 contracting with a legal and Internal Revenue Service compliance consultant,
18 in order to assist the Committee with its powers and duties set forth in
19 subdivisions (1) and (2) of this subsection.

1 (d) Assistance.

2 (1) The Committee shall have the administrative, technical, legal, and
3 fiscal assistance of the Office of Legislative Council and the Joint Fiscal
4 Office.

5 (2) The Offices of the State Treasurer and of the Attorney General, the
6 Agency of Administration, the Department of Finance and Management, the
7 Department of Human Resources, and the Agency of Digital Services shall
8 provide support to the Committee as applicable.

9 (e) Meetings.

10 (1) The Office of Legislative Council shall call the first meeting of the
11 Committee to occur as soon as practicable in Fiscal Year 2019.

12 (2) The Committee shall select co-chairs from among its membership,
13 one of whom shall be a member of the House and one of whom shall be a
14 member of the Senate, serving in their capacity as a legislator.

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

16 (4) The Committee shall cease to exist on January 15, 2019.

17 (f) Compensation and reimbursement.

18 (1) For attendance at meetings during adjournment of the General
19 Assembly, a legislative member of the Committee serving in his or her
20 capacity as a legislator shall be entitled to per diem compensation and
21 reimbursement of expenses pursuant to 2 V.S.A. § 406 for no more than six

1 meetings. These payments shall be made from monies appropriated to the
2 General Assembly.

3 (2) Other members of the Committee shall be entitled to per diem
4 compensation and reimbursement of expenses as permitted under 32 V.S.A.
5 § 1010 for no more than six meetings. These payments shall be made from
6 monies appropriated to the Agency of Administration.

7 (g) Reports. On or before January 15, 2019, the Committee shall report its
8 findings and recommendations to the House and Senate Committees on
9 Government Operations and on Appropriations.

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15 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE