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Potential H.12 Provisions to Add to S.273

DRAFT; FOR COMMITTEE DISCUSSION

7 [H.12: Purpose #1 (Vermont Police Academy Law Enforcement Officers and a Study of
8 Group C and Other Retirement Benefits)]

9 * * * Vermont Police Academy Law Enforcement Officers * * *

10 Sec. A. 20 V.S.A. § 2351 is amended to read:

11 § 2351. CREATION AND PURPOSE OF COUNCIL

12 * * *

13 (b) The Council is created to encourage and assist municipalities, counties, and
14 governmental agencies of this State in their efforts to improve the quality of law
15 enforcement and citizen protection by maintaining a uniform standard of ~~recruitment~~
16 recruit and in-service training for law enforcement officers.

17 * * *

18 Sec. B. 20 V.S.A. § 2351a is amended to read:

19 § 2351a. DEFINITIONS

20 As used in this chapter:

21 (1) “Executive officer” means the highest-ranking law enforcement officer of a law
22 enforcement agency.

23 (2) “Law enforcement agency” means the employer of a law enforcement officer.

24 (3) “Law enforcement officer” means an employee of the Vermont Police
25 Academy designated as a law enforcement officer under section 2356 of this chapter; a
26 member of the Department of Public Safety who exercises law enforcement powers; a

1 member of the State Police; a Capitol Police officer; a municipal police officer; a
2 constable who exercises law enforcement powers; a motor vehicle inspector; an
3 employee of the Department of Liquor Control who exercises law enforcement powers;
4 an investigator employed by the Secretary of State; a Board of Medical Practice
5 investigator employed by the Department of Health; an investigator employed by the
6 Attorney General or a State's Attorney; a fish and game warden; a sheriff; a deputy
7 sheriff who exercises law enforcement powers; a railroad police officer commissioned
8 pursuant to 5 V.S.A. chapter 68, subchapter 8; or a police officer appointed to the
9 University of Vermont's Department of Police Services.

10 (4) "Off-site training" means training provided off the premises of a law
11 enforcement officer training school and approved by the Council under the provisions of
12 section 2355 of this chapter.

13 Sec. C. 20 V.S.A. § 2356 is added to read:

14 § 2356. VERMONT POLICE ACADEMY; LAW ENFORCEMENT OFFICERS

15 (a) The Executive Director of the Council may designate an employee of the Vermont
16 Police Academy to be a law enforcement officer if the employee is certified as a Level III
17 law enforcement officer under this chapter and is required to maintain that Level III
18 certification as a condition of employment at the Academy.

19 (b) A person designated as a law enforcement officer under subsection (a) of this
20 section shall have statewide law enforcement authority.

1 * * * State Treasurer Study of Retirement Benefits * * *

2 Sec. D. STATE TREASURER; ACTUARIAL ANALYSIS OF POTENTIAL
3 AMENDMENTS TO VERMONT STATE RETIREMENT SYSTEM
4 BENEFITS FOR HIGH-STRESS POSITIONS

5 (a) State Treasurer; review and recommendations. The State Treasurer shall consult
6 as applicable with the Office of Attorney General; the Departments of Human Resources,
7 of Public Safety, of Corrections, and of Children and Families; the Vermont Criminal
8 Justice Training Council; the Vermont Troopers Association; and the Vermont State
9 Employees Association on the following issues regarding the Vermont State Retirement
10 System:

11 (1) Group C members. The Treasurer shall review the current employees
12 classified as Group C members pursuant to 3 V.S.A. § 455(a)(9)(B) and (11)(C) in order
13 to perform the following analyses:

14 (A) whether the requirements of Group C membership, including the
15 requirement in 3 V.S.A. § 455(a)(9)(B) that specified employees “are required to perform
16 law enforcement duties as the primary function of their employment,” are appropriate;

17 (B) whether the requirement that a Group C member retire at age 55 as set forth
18 in 3 V.S.A. § 459(a)(2) may violate federal age discrimination laws for any of the types
19 of employees in Group C membership;

20 (C) a review of the job description of each type of employee in Group C
21 membership, and whether those job descriptions conform to the standards described in
22 subdivisions (A) and (B) of this subdivision (1); and

