

1 Introduced by Committee on Government Operations

2 Date:

3 Subject: Executive; State's Attorneys and sheriffs; retirement; insurance
4 benefits

5 Statement of purpose of bill as introduced: This bill proposes to make eligible
6 for State insurance and retirement benefits State's Attorneys, sheriffs, and
7 employees of State's Attorneys' offices and sheriff's departments whose
8 compensation is administered through the State payroll system.

9 An act relating to State's Attorneys and sheriffs

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

11 Sec. 1. 3 V.S.A. § 455 is amended to read:

12 § 455. DEFINITIONS

13 (a) As used in this subchapter:

14 * * *

15 (9) "Employee" shall mean:

16 (A) Any regular officer or employee of the Vermont Historical
17 Society or ~~in~~ a department other than a person included under subdivision (B)
18 of this subdivision (9), who is employed for not less than 40 calendar weeks in
19 a year. "Employee" includes State's Attorneys, sheriffs, and employees in

1 State's Attorneys' offices whose compensation is administered through the
2 State of Vermont payroll system.

3 (B) Any regular officer or employee of the Department of Public
4 Safety assigned to police and law enforcement duties, including the
5 Commissioner of Public Safety appointed before July 1, 2001; but, irrespective
6 of the member's classification, shall not include any member of the General
7 Assembly as such, any person who is covered by the Vermont Teachers'
8 Retirement System, any person engaged under retainer or special agreement or
9 C beneficiary employed by the Department of Public Safety for not more than
10 208 hours per year, or any person whose principal source of income is other
11 than State employment. In all cases of doubt, the Retirement Board shall
12 determine whether any person is an employee as defined in this subchapter.
13 Also included under this subdivision are employees of the Department of
14 Liquor Control who exercise law enforcement powers, employees of the
15 Department of Fish and Wildlife assigned to law enforcement duties, motor
16 vehicle inspectors, full-time deputy sheriffs compensated by the State of
17 Vermont whose primary function is transports, full-time members of the
18 Capitol Police force, investigators employed by the Criminal Division of the
19 Office of the Attorney General, Department of State's Attorneys, Department
20 of Health, or Office of the Secretary of State, who have attained Level III law
21 enforcement officer certification from the Vermont Criminal Justice Training

1 Council, who are required to perform law enforcement duties as the primary
2 function of their employment, and who may be subject to mandatory
3 retirement permissible under 29 U.S.C. § 623(j), who are first included in
4 membership of the system on or after July 1, 2000. Also included under this
5 subdivision are full-time firefighters employed by the State of Vermont and the
6 Defender General.

7 * * *

8 Sec. 2. 3 V.S.A. § 631 is amended to read:

9 § 631. GROUP INSURANCE FOR STATE EMPLOYEES; SALARY
10 DEDUCTIONS FOR INSURANCE, SAVINGS PLANS, AND
11 CREDIT UNIONS

12 (a)(1) The Secretary of Administration may contract on behalf of the State
13 with any insurance company or nonprofit association doing business in this
14 State to secure the benefits of franchise or group insurance. Beginning July 1,
15 1978, the terms of coverage under the policy shall be determined under section
16 904 of this title, but it may include:

17 * * *

18 (2)(A)(i) The As used in this section, the term “employees” as used in
19 this section shall include among others includes any class or classes of elected
20 or appointed officials, but it State’s Attorneys, sheriffs, employees of State’s
21 Attorney’s offices whose compensation is administered through the State of

1 Vermont payroll system, and deputy sheriffs paid by the State of Vermont
2 pursuant to 24 V.S.A. § 290(b). The term “employees” shall not include
3 members of the General Assembly as such, ~~nor shall it include~~ any person
4 rendering service on a retainer or fee basis, members of boards or
5 commissions, or persons other than employees of the Vermont Historical
6 Society, the Vermont Film Corporation, the Vermont State Employees’ Credit
7 Union, Vermont State Employees’ Association, and the Vermont Council on
8 the Arts, whose compensation for service is not paid from the State Treasury,
9 ~~nor shall it include~~ or any elected or appointed official unless the official is
10 actively engaged in and devoting substantially full-time to the conduct of the
11 business of his or her public office.

12 (ii) For purposes of group hospital-surgical-medical expense
13 insurance, the term “employees” shall include employees as defined in
14 subdivision (i) of this subdivision (2)(A) and former employees as defined in
15 this subdivision who are retired and are receiving a retirement allowance from
16 the Vermont State Retirement System or the State Teachers’ Retirement
17 System of Vermont and, for the purposes of group life insurance only, are
18 retired on or after July 1, 1961, and have completed 20 creditable years of
19 service with the State before their retirement dates and are insured for group
20 life insurance on their retirement dates.

1 (iii) For purposes of group hospital-surgical-medical expense
2 insurance only, the term “employees” shall include employees as defined in
3 subdivision (i) of this subdivision (2)(A) and employees who are receiving a
4 retirement allowance based upon their employment with the Vermont State
5 Employees’ Association, the Vermont State Employees’ Credit Union, the
6 Vermont Council on the Arts, as long as they are covered as active employees
7 on their retirement date, and:

8 ~~(i)~~(I) they have at least 20 years of service with that employer; or
9 ~~(ii)~~(II) have attained 62 years of age, and have at least 15 years of
10 service with that employer.

11 * * *

12 Sec. 3. EFFECTIVE DATE

13 This act shall take effect on passage.