

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate
3 Bill 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 bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * Training * * *

8 Sec. 1. 20 V.S.A. § 2352 is amended 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 Sec. 3. COUNCIL; REPORT ON TRAINING ALTERNATIVES

2 On or before January 15, 2019, the Executive Director of the Vermont
3 Criminal Justice Training Council shall report to the Senate and House
4 Committees on Government Operations regarding the Council's identification
5 and implementation of alternate routes to certification and its plan to replace
6 some of its overnight law enforcement training requirements at the Robert H.
7 Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont
8 (Police Academy) with training in multiple regions of the State, in accordance
9 with 20 V.S.A. § 2355 in Sec. 2 of this act. The report may be in verbal form.

10 Sec. 4. 20 V.S.A. § 2361 is amended to read:

11 § 2361. ADDITIONAL TRAINING

12 (a) Nothing in this chapter prohibits any ~~State~~ law enforcement agency,
13 ~~department, or office or any municipality or county of the State~~ from providing
14 additional training beyond basic training to its personnel where no certification
15 is requested of or required by the Council or its Executive Director.

16 (b) ~~The head of a State agency, department, or office, a municipality's chief~~
17 ~~of police, or a sheriff~~ executive officer of a law enforcement agency may seek
18 certification from the Council for any in-service training he or she may provide
19 to ~~his or her employees~~ law enforcement officers of his or her agency, or of
20 another agency, or both.

1 Sec. 5. 20 V.S.A. § 2358 is amended to read:

2 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

3 * * *

4 (b) The Council shall offer or approve basic training and annual in-service
5 training for each of the following three levels of law enforcement officer
6 certification in accordance with the scope of practice for each level, and shall
7 determine by rule the scope of practice for each level in accordance with the
8 provisions of this section:

9 (1) Level I certification.

10 * * *

11 (2) Level II certification.

12 * * *

13 (3) Level III certification.

14 * * *

15 (c)(1) All programs required by this section shall be approved by the
16 Council.

17 (2) The Council shall structure its programs so that an officer certified
18 as a Level II law enforcement officer may complete additional training in
19 block steps in order to transition to Level III certification, without such an
20 officer needing to restart the certification process.

1 and the General Assembly on issues involving the cooperation and
2 coordination of all agencies that exercise law enforcement responsibilities.

3 The Board shall review any matter that affects more than one law enforcement
4 agency. The Board shall comprise the following members:

5 (1) the Commissioner of Public Safety or designee;

6 (2) a member of the Chiefs of Police Association of Vermont appointed
7 by the President of the Association;

8 (3) a member of the Vermont Sheriffs' Association appointed by the
9 President of the Association;

10 (4) a representative of the Vermont League of Cities and Towns
11 appointed by the Executive Director of the League;

12 (5) a member of the Vermont Police Association appointed by the
13 President of the Association;

14 (6) the Attorney General or designee;

15 (7) a State's Attorney appointed by the Executive Director of the
16 Department of State's Attorneys and Sheriffs;

17 (8) the U.S. Attorney or designee;

18 (9) the Executive Director of the Vermont Criminal Justice Training
19 Council;

20 (10) the Defender General or designee;

1 (11) a representative of the Vermont Troopers' Association or its
2 successor entity, elected by its membership;

3 (12) a member of the Vermont Constables Association appointed by the
4 President of the Association; and

5 (13) a law enforcement officer appointed by the President of the
6 Vermont State Employees Association.

7 (b) The Board shall elect a chair and a vice chair, which positions shall
8 rotate among the various member representatives. Each member shall serve a
9 term of two years. The Board shall meet at the call of the Chair or a majority
10 of the members. A quorum shall consist of seven members, and decisions of
11 the Board shall require the approval of a majority of those members present
12 and voting.

13 (c) The Board shall undertake an ongoing formal process of reviewing law
14 enforcement policies and practices with a goal of developing a comprehensive
15 approach to providing the best services to Vermonters, given the monies
16 available. The Board shall also provide educational resources to Vermonters
17 about public safety challenges in the State.

18 (d)(1) The Board shall meet at its discretion to develop policies and
19 recommendations for law enforcement priority needs, including retirement
20 benefits, recruitment of officers, training, homeland security issues,
21 dispatching, and comprehensive drug enforcement.

1 (2) The Board shall present its findings and recommendations in brief
2 summary form to the House and Senate Committees on Judiciary and on
3 Government Operations annually on or before January 15.

4 Sec. 10. LEAB; RECODIFICATION DIRECTIVE

5 (a) 24 V.S.A. § 1939 is recodified as 20 V.S.A. § 1818. During statutory
6 revision, the Office of Legislative Council shall revise accordingly any
7 references to 24 V.S.A. § 1939 in the Vermont Statutes Annotated.

8 (b) Any references in session law and adopted rules to 24 V.S.A. § 1939 as
9 previously codified shall be deemed to refer to 20 V.S.A. § 1818.

10 Sec. 11. LEAB; 2019 REPORT ON MUNICIPAL ACCESS TO LAW

11 ENFORCEMENT SERVICES

12 As part of its annual report in the year 2019, the Law Enforcement
13 Advisory Board shall specifically recommend ways that towns can increase
14 access to law enforcement services.

15 * * * Dispatch * * *

16 Sec. 12. DEPARTMENT OF PUBLIC SAFETY AND THE VERMONT

17 ENHANCED 911 BOARD; PROPOSAL FOR AN EQUITABLE

18 STATEWIDE PUBLIC SAFETY DISPATCH SYSTEM

19 (a)(1) The Department of Public Safety and the Vermont Enhanced 911
20 Board shall consult with the Vermont League of Cities and Towns as an equal
21 partner in order to propose a plan that would result in a comprehensive,

1 efficient, and equitably funded public safety dispatch system to dispatch law
2 enforcement, fire, and emergency medical services statewide.

3 (2) Included in the proposed plan shall be recommendations regarding:

4 (A) the manner in which different dispatch services should
5 communicate among each other;

6 (B) whether there should be different dispatching services used
7 among State agencies and departments;

8 (C) the funding source or sources for the proposed plan; and

9 (D) the timeframe for implementing the proposed plan.

10 (b) On or before November 1, 2019, the Department and the Board shall
11 jointly submit the proposed plan to:

12 (1) the Senate Committees on Finance, on Government Operations, on
13 Appropriations, and on Economic Development, Housing and General Affairs;

14 (2) the House Committees on Commerce and Economic Development,
15 on Government Operations, on Appropriations, and on Ways and Means; and

16 (3) the Governor.

17 * * * Effective Dates and Implementation * * *

18 Sec. 13. EFFECTIVE DATES; IMPLEMENTATION

19 This act shall take effect on July 1, 2018, except the following sections shall
20 take effect on July 1, 2019:

1 (1) Sec. 2, amending 20 V.S.A. § 2355 (Council powers and duties),
2 except that the requirement to adopt rules set forth in subdivision (a)(1) of that
3 section shall take effect on July 1, 2018 so that those rules are adopted on or
4 before July 1, 2019;

5 (2) Sec. 5, amending 20 V.S.A. § 2358 (minimum training standards;
6 definitions); and

7 (3) Sec. 6, amending 20 V.S.A. § 2053 (cooperation with other
8 agencies).

9

10

11

12 (Committee vote: _____)

13

14

Senator _____

15

FOR THE COMMITTEE