

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 124 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 * * * Vermont Criminal Justice Training Council * * *

8 Sec. 1. 20 V.S.A. § 2351 is amended to read:

9 § 2351. CREATION AND PURPOSE OF COUNCIL

10 * * *

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

15 * * *

16 Sec. 2. 20 V.S.A. § 2352 is amended to read:

17 § 2352. COUNCIL MEMBERSHIP

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

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

21 (B) the Attorney General;

1 (C) the Executive Director of the Department of State’s Attorneys
2 and Sheriffs;

3 (D) a member of the Vermont Troopers’ Association or its successor
4 entity, elected by its membership;

5 ~~(D)~~(E) a member of the Vermont Police Association, elected by its
6 membership; ~~and~~

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

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

10 ~~(ii) The Governor shall solicit recommendations for appointment~~
11 ~~from the Vermont State’s Attorneys Association, the Vermont State’s Sheriffs~~
12 ~~Association, the Vermont Police Chiefs Association, and the Vermont~~
13 ~~Constables Association~~ a member of the Chiefs of Police Association of
14 Vermont, appointed by the President of the Association;

15 (G) a member of the Vermont Sheriffs’ Association, appointed by the
16 President of the Association;

17 (H) a law enforcement officer appointed by the President of the
18 Vermont State Employees Association;

19 (I) an employee of the Vermont League of Cities and Towns,
20 appointed by the Executive Director of the League;

1 (b) Rules. On or before July 1, 2023, the Council shall finally adopt the
2 rules regarding alternate routes to certification required by 20 V.S.A.
3 § 2355(a)(1) in Sec. 4 of this act, unless that deadline is extended by the
4 Legislative Committee on Administrative Rules pursuant to 3 V.S.A. § 843(c).

5 Sec. 7. 20 V.S.A. § 2361 is amended to read:

6 § 2361. ADDITIONAL TRAINING

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

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

16 Sec. 8. 20 V.S.A. § 2362a is amended to read:

17 § 2362a. POTENTIAL HIRING AGENCY; DUTY TO CONTACT

18 CURRENT OR FORMER AGENCY

19 (a)(1) Prior to hiring a law enforcement officer ~~who is no longer employed~~
20 ~~at his or her last law enforcement agency~~, the executive officer of a potential
21 hiring law enforcement agency shall:

1 (A) require that officer to execute a written waiver that explicitly
2 authorizes the officer's:

3 (i) current law enforcement agency employer to disclose its
4 analysis of the officer's performance at that agency, if the officer is still
5 employed at that agency; or

6 (ii) last law enforcement agency employer to disclose the reason
7 that officer is no longer employed by that agency, if the officer is not currently
8 employed at an agency; and

9 (B) contact that ~~former~~ agency to ~~determine that reason~~ obtain that
10 disclosure and provide to that agency a copy of that written waiver.

11 (2) An officer who refuses to execute the written waiver shall not be
12 hired by the potential hiring agency.

13 (b)(1)(A) If that current or former agency is a law enforcement agency in
14 this State, the executive officer of that current or former agency or designee
15 shall disclose to the potential hiring agency in writing its analysis of the
16 officer's performance at that agency or the reason the officer is no longer
17 employed by the former agency, as applicable.

18 (B) The executive officer or designee shall send a copy of the
19 disclosure to the officer at the same time he or she sends it to the potential
20 hiring agency.

- 1 (ii) domestic assault;
- 2 (iii) false reports and statements;
- 3 (iv) driving under the influence, second offense;
- 4 (v) violation of a relief from abuse order or of a condition of
- 5 release;
- 6 (vi) stalking;
- 7 (vii) false pretenses;
- 8 (viii) voyeurism;
- 9 (ix) prostitution or soliciting prostitution;
- 10 (x) distribution of a regulated substance;
- 11 (xi) simple assault on a law enforcement officer; or
- 12 (xii) possession of a regulated substance, second offense.

13 (2) “Category B conduct” means gross professional misconduct
14 amounting to actions on duty or under color of authority, or both, that involve
15 willful failure to comply with a State-required policy or substantial deviation
16 from professional conduct as defined by the law enforcement agency’s policy
17 or if not defined by the agency’s policy, then as defined by Council policy,
18 ~~such as~~ and shall include:

- 19 (A) sexual harassment involving physical contact or misuse of
- 20 position;
- 21 (B) misuse of official position for personal or economic gain;

- 1 (C) excessive use of force under color of authority, ~~second~~ first
2 offense;
- 3 (D) biased enforcement; or
- 4 (E) use of electronic criminal records database for personal, political,
5 or economic gain.

6 * * *

7 § 2403. LAW ENFORCEMENT AGENCIES; DUTY TO REPORT

8 (a)(1) The executive officer of a law enforcement agency or the chair of the
9 agency's civilian review board shall report to the Council within 10 business
10 days if any of the following occur in regard to a law enforcement officer of the
11 agency:

12 (A) Category ~~(A)~~.

13 (i) There is a finding of probable cause by a court that the officer
14 committed Category A conduct.

15 (ii) There is any decision or findings of fact or verdict regarding
16 allegations that the officer committed Category A conduct, including a judicial
17 decision and any appeal therefrom.

18 (B) Category B.

19 (i) The agency receives a credible complaint against the officer
20 that, ~~if deemed credible by the executive officer of the agency as a result of a~~
21 ~~valid investigation,~~ alleges that the officer committed Category B conduct.

1 (ii) The agency receives or issues any of the following:

2 (I) a report or findings of a valid investigation finding that the
3 officer committed Category B conduct; or

4 (II) any decision or findings, including findings of fact or
5 verdict, regarding allegations that the officer committed Category B conduct,
6 including a hearing officer decision, arbitration, administrative decision, or
7 judicial decision, and any appeal therefrom.

8 (C) Termination. The agency terminates the officer for Category A
9 or Category B conduct.

10 (D) Resignation. The officer resigns from the agency while under
11 investigation for unprofessional conduct.

12 (2) As part of his or her report, the executive officer of the agency or the
13 chair of the civilian review board shall provide to the Council a copy of any
14 relevant documents associated with the report, including any findings,
15 decision, and the agency's investigative report.

16 (b) The Executive Director of the Council shall report to the Attorney
17 General and the State's Attorney of jurisdiction any allegations that an officer
18 committed Category A conduct.

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* * * Vermont Crime Information Center * * *

Sec. 11. 20 V.S.A. § 2053 is amended to read:

§ 2053. COOPERATION WITH OTHER AGENCIES

(a) The ~~center~~ Center shall cooperate with other ~~state~~ State departments and agencies, municipal police departments, sheriffs, and other law enforcement officers in this ~~state~~ State and with federal and international law enforcement agencies to develop and carry on a uniform and complete ~~state~~ State, interstate, national, and international system of records of ~~criminal activities~~ commission of crimes and information.

(b)(1) All ~~state~~ State departments and agencies, municipal police departments, sheriffs, and other law enforcement officers shall cooperate with and assist the ~~center~~ Center in the establishment of a complete and uniform system of records relating to the commission of crimes, arrests, convictions, imprisonment, probation, parole, fingerprints, photographs, stolen property, and other matters relating to the identification and records of persons who have or who are alleged to have committed a crime, or who are missing persons, or who are fugitives from justice.

(2) In order to meet the requirements of subdivision (1) of this subsection, the Center shall establish and provide training on a uniform list of definitions to be used in entering data into a law enforcement agency's system

1 of records, and every law enforcement officer shall use those definitions when
2 entering data into his or her agency's system.

3 * * * Law Enforcement Advisory Board * * *

4 Sec. 12. LEAB; REPEAL FOR RECODIFICATION

5 24 V.S.A. § 1939 (Law Enforcement Advisory Board) is repealed.

6 Sec. 13. 20 V.S.A. § 1818 is added to read:

7 § 1818. LAW ENFORCEMENT ADVISORY BOARD

8 (a) The Law Enforcement Advisory Board is created within the Department
9 of Public Safety to advise the Commissioner of Public Safety, the Governor,
10 and the General Assembly on issues involving the cooperation and
11 coordination of all agencies that exercise law enforcement responsibilities.

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

14 (1) the Commissioner of Public Safety;

15 (2) the Director of the Vermont State Police;

16 (3) the Director of the Enforcement Division of the Department of Fish
17 and Wildlife;

18 (4) the Director of the Enforcement and Safety Division of the
19 Department of Motor Vehicles;

20 (5) the Chief of the Capitol Police Department;

21 (6) the Director of the Vermont Criminal Justice Services Division;

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

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

5 (9) a representative of the Vermont League of Cities and Towns,
6 appointed by the Executive Director of the League;

7 (10) a member of the Vermont Police Association, appointed by the
8 President of the Association;

9 (11) the Attorney General or designee;

10 (12) a State's Attorney appointed by the Executive Director of the
11 Department of State's Attorneys and Sheriffs;

12 (13) the U.S. Attorney or designee;

13 (14) the Executive Director of the Vermont Criminal Justice Training
14 Council;

15 (15) the Defender General or designee;

16 (16) one representative of the Vermont Troopers' Association or its
17 successor entity, elected by its membership;

18 (17) a member of the Vermont Constables Association, appointed by the
19 President of the Association; and

20 (18) a law enforcement officer, appointed by the President of the
21 Vermont State Employees Association.

1 (b) The Board shall elect a chair and a vice chair, which positions shall
2 rotate among the various member representatives. Each member shall serve a
3 term of two years. The Board shall meet at the call of the Chair. A quorum
4 shall consist of 10 members, and decisions of the Board shall require the
5 approval of a majority of those members present and voting.

6 (c) The Board shall undertake an ongoing formal review process of law
7 enforcement policies and practices with a goal of developing a comprehensive
8 approach to providing the best services to Vermonters, given monies available.
9 The Board shall also provide educational resources to Vermonters about public
10 safety challenges in the State.

11 (d)(1) The Board shall meet not fewer than six times a year to develop
12 policies and recommendations for law enforcement priority needs, including
13 retirement benefits, recruitment of officers, training, homeland security issues,
14 dispatching, and comprehensive drug enforcement.

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

18 Sec. 14. LEAB; RECODIFICATION DIRECTIVE

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

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(i) The ~~commissioner of public safety~~ Commissioner of Public Safety may enter into contractual arrangements to perform dispatching functions for ~~state~~ State, municipal, or other emergency services, establishing charges sufficient to recover the costs of dispatching. Dispatch positions ~~which~~ that are fully funded under such contracts may be authorized under the provisions of 32 V.S.A. § 5(b). The Commissioner shall adopt rules that set forth the rates for dispatch functions performed under this subsection.

(j) Charges collected under subsections (e), (f), and (i) of this section shall be credited to the Vermont ~~law telecommunications special fund~~ Law Telecommunications Special Fund and shall be available to the ~~department~~ Department to offset the costs of providing the services.

* * *

§ 1873. ~~REMOVAL OF COMMISSIONER~~

~~During his or her term of office, the governor may remove the commissioner upon charges preferred in writing and after hearing, which shall be a public hearing if the commissioner requests the same, upon the following grounds:~~

- ~~(1) Incompetency amounting to failure to perform his or her official duties competently;~~
- ~~(2) Misconduct in office which shall be construed to include:~~

1 § 2652. CREATION OF DISTRICTS

2 The ~~State Board~~ Department of Health may divide the State into emergency
3 medical services districts, the number, size, and boundaries of which shall be
4 determined by the ~~Board~~ Department in the interest of affording adequate and
5 efficient emergency medical services throughout the State.

6 * * *

7 § 2654. RECORDING DETERMINATION OF DISTRICTS

8 The ~~State Board~~ Department of Health shall cause to be recorded in the
9 office of the Secretary of State a certificate containing its determination of
10 emergency medical services districts.

11 * * *

12 § 2656. DUTIES AND POWERS OF OFFICERS AND DIRECTORS

13 (a) The board of directors shall have full power to manage, control, and
14 supervise the conduct of the district and to exercise in the name of the district
15 all powers and functions belonging to the district, subject to such laws or
16 ~~regulations~~ rules as may be applicable.

17 * * *

18 § 2657. PURPOSES AND POWERS OF EMERGENCY MEDICAL
19 SERVICES DISTRICTS

20 (a) It shall be the function of each emergency medical services district to
21 foster and coordinate emergency medical services within the district, in the

1 interest of affording adequate ambulance services within the district. Each
2 emergency medical services district shall have powers that include the power
3 to:

4 * * *

5 (6) monitor the provision of emergency medical services within the
6 district and make recommendations to the ~~State Board~~ Department of Health
7 regarding licensure, relicensure, and removal or suspension of licensure for
8 ambulance vehicles, ambulance services, and first responder services;

9 * * *

10 (b) Two or more contiguous emergency medical services districts by a
11 majority vote of the district board in each of the districts concerned may
12 change the mutual boundaries of their emergency medical services districts.
13 The district boards shall report all changes in district boundaries to the ~~State~~
14 ~~Board~~ Department of Health.

15 * * *

16 Subchapter 2. Licensing Operation of Affiliated Agencies

17 § 2681. LICENSE REQUIRED; AMBULANCE LICENSE REQUIREMENT

18 (a) A person furnishing ambulance services or first responder services shall
19 obtain a license to furnish services under this subchapter.

20 (b)(1) In order to obtain and maintain a license, an ambulance service shall
21 be required to provide its services in a manner that does not discriminate on the

1 basis of income, funding source, or severity of health needs, in order to ensure
2 access to ambulance services within the licensee’s service area.

3 (2) The Department of Health shall adopt rules in accordance with the
4 provisions of subdivision (1) of this subsection.

5 § 2682. POWERS OF ~~STATE BOARD~~ THE DEPARTMENT OF HEALTH

6 (a) The ~~State Board~~ Department of Health shall administer this subchapter
7 and shall have power to:

8 * * *

9 § 2683. TERM OF LICENSE

10 Full licenses shall be issued on forms to be prescribed by the ~~State Board~~
11 Department of Health for a period of three years beginning on January 1, or for
12 the balance of any such three-year period. Temporary, conditional, or
13 provisional licenses may also be issued by the ~~Board~~ Department.

14 * * *

15 Sec. 19. 18 V.S.A. § 9405 is amended to read:

16 § 9405. STATE HEALTH IMPROVEMENT PLAN; HEALTH RESOURCE
17 ALLOCATION PLAN

18 * * *

19 (b) The Green Mountain Care Board, in consultation with the Secretary of
20 Human Services or designee, shall publish on its website the Health Resource
21 Allocation Plan identifying Vermont’s critical health needs, goods, services,

1 and resources, which shall be used to inform the Board’s regulatory processes,
2 cost containment and statewide quality of care efforts, health care payment and
3 delivery system reform initiatives, and any allocation of health resources
4 within the State. The Plan shall identify Vermont residents’ needs for health
5 care services, programs, and facilities; the resources available and the
6 additional resources that would be required to realistically meet those needs
7 and to make access to those services, programs, and facilities affordable for
8 consumers; and the priorities for addressing those needs on a statewide basis.

9 The Board may expand the Plan to include resources, needs, and priorities
10 related to the social determinants of health. The Plan shall be revised
11 periodically, but not less frequently than once every four years.

12 (1) In developing the Plan, the Board shall:

13 (A) consider the principles in section 9371 of this title, as well as the
14 purposes enumerated in sections 9401 and 9431 of this title;

15 (B) identify priorities using information from:

16 (i) the State Health Improvement Plan;

17 (ii) emergency medical services resources and needs identified by
18 the EMS Advisory Committee in accordance with subsection 909(f) of this
19 title;

20 (iii) the community health needs assessments required by section
21 9405a of this title;

1 of this chapter and the rules adopted under it are hereby authorized to provide
2 such care without further certification, registration, or licensing.

3 * * *

4 § 904. ADMINISTRATIVE PROVISIONS

5 (a) In order to carry out the purposes and responsibilities of this chapter,
6 the Department of Health may contract for the provision of specific services.

7 (b) The Secretary of Human Services, upon the recommendation of the
8 Commissioner of Health, may ~~issue~~ adopt rules to carry out the purposes and
9 responsibilities of this chapter.

10 * * *

11 § 906. EMERGENCY MEDICAL SERVICES DIVISION;
12 RESPONSIBILITIES

13 To implement the policy of section 901 of this chapter, the Department of
14 Health shall be responsible for:

15 (1) Developing and implementing minimum standards for training
16 emergency medical personnel in basic life support and advanced life support,
17 and licensing emergency medical personnel according to their level of training
18 and competence. The Department shall establish by rule at least three levels of
19 emergency medical personnel instructors and the education required for each
20 level.

21 * * *

1 applicable examination approved by the Commissioner for that level of
2 licensure and is affiliated with an affiliated agency.

3 (F) An applicant who is registered on the National Registry of
4 Emergency Medical Technicians as an emergency medical technician, an
5 advanced emergency medical technician, or a paramedic shall be granted
6 licensure as a Vermont emergency medical technician, an advanced emergency
7 medical technician, or a paramedic without the need for further testing,
8 provided he or she is affiliated with an affiliated agency or is serving as a
9 medic with the Vermont National Guard.

10 * * *

11 (11) In addition to the licenses established under subdivision (10) of this
12 section, the Department shall establish by rule an entry-level certification for
13 Vermont EMS first responders.

14 * * *

15 § 906b. ~~TRANSITIONAL PROVISION; CERTIFICATION TO~~

16 ~~LICENSURE~~

17 ~~Every person certified as an emergency medical provider shall have his or~~
18 ~~her certification converted to the comparable level of licensure. Until such~~
19 ~~time as the Department of Health issues licenses in lieu of certificates, each~~
20 ~~certified emergency medical provider shall have the right to practice in~~
21 ~~accordance with his or her level of certification. [Repealed.]~~

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§ 906d. RENEWAL REQUIREMENTS; SUNSET REVIEW

(a) Not less than once every five years, the Department shall review emergency medical personnel continuing education and other continuing competency requirements. The review results shall be in writing and address the following:

(1) the renewal requirements of the profession;

(2) the renewal requirements in other jurisdictions, particularly in the Northeast region;

(3) the cost of the renewal requirements for emergency medical personnel; and

(4) an analysis of the utility and effectiveness of the renewal requirements with respect to public protection.

(2) The Department shall amend its rules or propose any necessary statutory amendments to revise any emergency medical personnel continuing education and other continuing competency requirements that are not necessary for the protection of the public health, safety, or welfare.

* * *

1 § 909. EMS ADVISORY COMMITTEE; EMS EDUCATION COUNCIL

2 (a) The Commissioner shall establish the Emergency Medical Services
3 Advisory Committee to advise on matters relating to the delivery of emergency
4 medical services (EMS) in Vermont.

5 * * *

6 (e) Annually, on or before January 1, the Committee shall report on the
7 EMS system to the House Committees on Government Operations, on
8 Commerce and Economic Development, and on Human Services and to the
9 Senate Committees on Government Operations, on Economic Development,
10 Housing and General Affairs, and on Health and Welfare. The Committee's
11 reports shall include information on the following:

12 * * *

13 (6) the nature and costs of dispatch services for EMS providers
14 throughout the State, including the annual number of mutual aid calls to an
15 emergency medical service area that come from outside that area, and
16 suggestions for improvement;

17 * * *

18 (f) In addition to its report set forth in subsection (e) of this section, the
19 Committee shall identify EMS resources and needs in each EMS district and
20 provide that information to the Green Mountain Care Board to inform the

1 Board's periodic revisions to the Health Resource Allocation Plan developed
2 pursuant to subsection 9405(b) of this title.

3 (g) The Committee shall establish from among its members the EMS
4 Education Council, which may:

5 (1) sponsor training and education programs required for emergency
6 medical personnel licensure in accordance with the Department of Health's
7 required standards for that training and education; and

8 (2) provide advice to the Department of Health regarding the standards
9 for emergency medical personnel licensure and any recommendations for
10 changes to those standards.

11 Sec. 21. 32 V.S.A. § 8557 is amended to read:

12 § 8557. VERMONT FIRE SERVICE TRAINING COUNCIL

13 (a)(1) Sums for the expenses of the operation of training facilities and
14 curriculum of the Vermont Fire Service Training Council not to exceed
15 \$1,200,000.00 per year shall be paid to the Fire Safety Special Fund created by
16 20 V.S.A. § 3157 by insurance companies, writing fire, homeowners multiple
17 peril, allied lines, farm owners multiple peril, commercial multiple peril (fire
18 and allied lines), private passenger and commercial auto, and inland marine
19 policies on property and persons situated within the State of Vermont within
20 30 days after notice from the Commissioner of Financial Regulation of such

1 estimated expenses. Captive companies shall be excluded from the effect of
2 this section.

3 * * *

4 (4) An amount not less than \$150,000.00 shall be specifically allocated
5 to the Emergency Medical Services Special Fund established under 18 V.S.A.
6 § 908 for the provision of training programs for certified Vermont EMS first
7 responders and licensed emergency medical responders, emergency medical
8 technicians, advanced emergency medical technicians, and paramedics.

9 * * *

10 Sec. 22. TRANSITIONAL EMS PROVISIONS

11 (a) Rules. Except as otherwise provided in this act, on or before July 1,
12 2021, the Department of Health shall finally adopt or amend the rules required
13 by this act, unless that deadline is extended by the Legislative Committee on
14 Administrative Rules pursuant to 3 V.S.A. § 843(c).

15 (b) Ambulance service licenses. The requirements for initial ambulance
16 service licensure and renewal set forth in 24 V.S.A. § 2681(b) in Sec. 18 of this
17 act shall apply to initial ambulance service license and renewal applicants on
18 and after July 1, 2021 or on and after the effective date of the Department of

1 Health rules adopted pursuant to that section and subsection (a) of this section,
2 whichever date is later.

3 (c) Existing EMS Instructor/Coordinator licensees. Any person who is
4 licensed as an EMS Instructor/Coordinator under the Department of Health's
5 Emergency Medical Service Rules in effect immediately prior to the effective
6 date of the rules establishing the new levels of instructor licenses as required
7 by 18 V.S.A. § 906(1) in Sec. 20 of this act shall be deemed to be licensed at
8 the level that is consistent with the scope of practice of the new license levels.

9 (d) Development of Vermont EMS First Responder certification. The
10 Department of Health shall consult with the EMS Advisory Committee, the
11 University of Vermont's Initiative for Rural Emergency Medical Services, and
12 any other relevant stakeholders in developing the new Vermont EMS First
13 Responder certification required by 18 V.S.A. § 906(11) in Sec. 20 of this act
14 so that certification is established on or before July 1, 2021.

15 (e) Sunset review of renewal requirements. Pursuant to 18 V.S.A. § 906d
16 (renewal requirements; sunset review) set forth in Sec. 20 this act, the
17 Department of Health shall conduct its first sunset review in conjunction with
18 its rulemaking required by this act and thereafter propose any necessary
19 statutory amendments in accordance with that section.

1 (2) The town or city emergency management director may appoint an
2 emergency management coordinator and other staff as necessary to accomplish
3 the purposes of this chapter.

4 (b) Except as provided in subsection (d) of this section, each local
5 organization for emergency management shall perform emergency
6 management functions within the territorial limits of the town or city within
7 which it is organized, and, in addition, shall conduct such functions outside of
8 the territorial limits as may be required pursuant to the provisions of this
9 chapter and in ~~accord~~ accordance with such regulations as the ~~governor~~
10 Governor may prescribe.

11 (c) Each local organization shall participate in the development of an all-
12 hazards plan with the local emergency planning committee and the public
13 safety district.

14 (d)(1) Each local organization shall annually notify the local emergency
15 planning committee on forms provided by the ~~state emergency response~~
16 ~~commission~~ State Emergency Response Commission of its capacity to perform
17 emergency functions in response to an all-hazards incident.

18 (2) Each local organization shall perform the emergency functions
19 indicated on the most recently submitted form in response to an all-hazards
20 incident.

1 (e) Each town and city legislative body shall adopt a public safety plan in
2 accordance with this subsection that describes how the town or city will
3 address the regular law enforcement, fire, emergency medical service, and
4 dispatch resources, needs, scarcities, costs, and problems within the
5 municipality unrelated to an all-hazards incident, which may include
6 partnering with one or more other municipalities or entities to address those
7 issues.

8 (1) Concurrently with its annual notification required under subsection
9 (d) of this section, each local organization shall analyze the law enforcement,
10 fire, emergency medical service, and dispatch resources, needs, scarcities,
11 costs, and problems within the municipality and report that information to its
12 legislative body.

13 (2) After receipt of that information, the legislative body:

14 (A) shall solicit and accept public comment on the current public
15 safety plan;

16 (B) may consult with the municipal and regional planning
17 commission, neighboring local organizations, and any other relevant law
18 enforcement, fire, and emergency medical service entities in order to determine
19 how those services may be provided and shared on a regional basis;

20 (C) shall propose any revisions to the current public safety plan that
21 the legislative body deems necessary, and in that case, shall provide public

1 notice of those proposed revisions and hold at least one public hearing on those
2 proposed revisions not less than 30 days after the public notice of them; and

3 (D) shall finally adopt any revisions to the current public safety plan.

4 Sec. 24. TRANSITIONAL PROVISION; INITIAL PUBLIC SAFETY PLAN

5 Each town and city shall undertake the process to adopt a public safety plan
6 as set forth in Sec. 23 of this act so that every town and city has adopted such a
7 plan on or before July 1, 2023.

8 Sec. 25. AGENCY OF COMMERCE AND COMMUNITY

9 DEVELOPMENT; REGIONAL PLANNING COMMISSIONS;

10 PUBLIC SAFETY PLANNING GRANTS

11 (a) Appropriation. The sum of \$100,000.00 is appropriated to the Agency
12 of Commerce and Community Development in fiscal year 2021 for three
13 public safety planning grants described in subsection (b) of this section. The
14 Agency shall award the grants in accordance with its procedure established
15 under the Vermont Community Development Act.

16 (b) Public safety planning grants.

17 (1) Public safety planning grants are created for the purpose of fostering
18 regional public safety planning.

19 (2) A regional organization, such as a regional planning commission,
20 union municipal district, joint survey committee, or other qualified
21 organization may apply to the Agency for a public safety planning grant for the

1 purpose of planning the integration, consolidation, or regionalization of public
2 safety functions within the organization’s jurisdiction. A grant shall be for a
3 maximum of three years and shall not exceed \$35,000.00, and shall be
4 provided to grantees in different geographic regions of the State.

5 (3) A grantee shall be required to report annually on or before January
6 15 to the Senate and House Committees on Government Operations and on
7 Appropriations regarding its planning process and expected result. Each report
8 shall specifically provide data on and analyze the potential costs and savings of
9 regional consolidation of public safety functions.

10 (4) As used in this section:

11 (A)(i) “Planning” means hiring personnel or contracting for services
12 to determine the feasibility of or to establish the procedure to implement, or
13 both, the integration, consolidation, or regionalization of public safety
14 functions.

15 (ii) “Planning” does not mean implementing such integration,
16 consolidation, or regionalization.

17 (B) “Public safety functions” means fire, police, emergency medical
18 services, and dispatching services.

19 * * * Effective Dates * * *

20 Sec. 26. EFFECTIVE DATES

21 This act shall take effect on July 1, 2020.

1 and that after passage the title of the bill be amended to read: “An act relating
2 to governmental structures protecting the public health, safety, and welfare”

3

4 (Committee vote: _____)

5

6

7

Senator _____

8

FOR THE COMMITTEE