

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 155 entitled “An act relating to the creation of the Agency of Public
4 Safety” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 * * * Creation of Agency * * *

8 Sec. 1. 3 V.S.A. chapter 72 is added to read:

9 CHAPTER 72. AGENCY OF PUBLIC SAFETY

10 Subchapter 1. General Provisions

11 § 5201. DEFINITIONS

12 (1) “Agency” means the Agency of Public Safety.

13 (2) “Commissioner” means the head of a department responsible to the
14 Secretary for the administration of the department.

15 (3) “Department” means a major component of the Agency.

16 (4) “Director” means the head of a division of the Agency.

17 (5) “Division” means a major component of a department engaged in
18 furnishing services to the public or to units of government at levels other than
19 the State level.

1 (6) “Secretary” means the head of the Agency, a member of the
2 Governor’s Cabinet, who is responsible to the Governor for the administration
3 of the Agency.

4 § 5202. CREATION OF AGENCY

5 (a) There is hereby created the Agency of Public Safety for the purpose of
6 ensuring the coordination of all State public safety resources, including
7 reducing redundancies; increasing efficiencies; and standardizing policies,
8 training, and data collection.

9 (b) The Agency of Public Safety shall consist of the following:

10 (1) the Department of Fire Safety and Emergency Management,
11 including:

12 (A) the Division of Emergency Management;

13 (B) the Division of Fire Safety; and

14 (C) the Office of Training;

15 (2) the Department of Law Enforcement, including the Division of the
16 Vermont State Police;

17 (3) the Division of Support Services; and

18 (4) the Office of Community Engagement.

19 (c) The Agency shall provide administrative support to the following
20 boards, commissions, and councils:

21 (1) the Fire Service Training Council;

- 1 (2) the Law Enforcement Advisory Board;
- 2 (3) the State Police Advisory Commission;
- 3 (4) the Search and Rescue Council;
- 4 (5) the Animal Cruelty Investigation Advisory Board;
- 5 (6) the Electricians Licensing Board;
- 6 (7) the Elevator Safety Review Board;
- 7 (8) the State Emergency Response Commission;
- 8 (9) the Plumbers Examining Board;
- 9 (10) the Vermont Access Board; and
- 10 (11) the Enhanced 911 Board.

11 § 5203. ADVISORY CAPACITY

12 (a) Except as otherwise provided in this chapter, all boards and
13 commissions that are a part of or are attached to the Agency pursuant to this
14 chapter shall be advisory only, and the powers and duties of the boards and
15 commissions, including administrative, policymaking, and regulatory
16 functions, shall vest in and be exercised by the Secretary of the Agency.

17 (b) Notwithstanding subsection (a) of this section, boards of registration
18 attached to this Agency shall retain and exercise all existing authority with
19 respect to licensing and maintenance of the standards of the persons registered.

1 § 5204. PERSONNEL DESIGNATION

2 The Secretary, Deputy Secretary, commissioners, deputy commissioners,
3 attorneys, and all members of boards, committees, commissions, or councils
4 attached to the Agency are exempt from the classified State service. Division
5 director positions may be exempt from the classified service or may be within
6 the classified service. Except as authorized by section 311 of this title or
7 otherwise by law, all other positions shall be within the classified service.

8 Subchapter 2. Secretary

9 § 5221. APPOINTMENT AND DUTIES

10 (a) The Agency shall be under the direction and supervision of the
11 Secretary, who shall be appointed by the Governor with the advice and consent
12 of the Senate and shall serve at the pleasure of the Governor.

13 (b) The Secretary shall oversee the activities of the Division of Support
14 Services and the Office of Community Engagement. The Secretary shall
15 supervise the Commissioner of Fire Safety and Emergency Management and
16 the Commissioner of Law Enforcement.

17 § 5222. BUDGET AND REPORT

18 The Secretary shall be responsible to the Governor and shall plan,
19 coordinate, and direct the functions vested in the Agency.

1 § 5223. DEPUTY SECRETARY

2 (a) The Secretary, with the approval of the Governor, may appoint a deputy
3 to serve at the Secretary’s pleasure and to perform such duties as the Secretary
4 may prescribe. The Deputy shall be exempt from the classified service. The
5 appointment shall be in writing and shall be filed in the Office of the Secretary
6 of State.

7 (b) The Deputy Secretary shall discharge the duties and responsibilities of
8 the Secretary in the Secretary’s absence. In case a vacancy occurs in the office
9 of the Secretary, the Deputy shall assume and discharge the duties of office
10 until the vacancy is filled.

11 § 5224. ADVISORY COUNCILS OR COMMITTEES

12 The Secretary, with the approval of the Governor, may create such advisory
13 councils or committees as the Secretary deems necessary within the Agency
14 and appoint their members for terms not exceeding the Governor’s term.

15 § 5225. TRANSFER OF PERSONNEL AND APPROPRIATIONS

16 (a) The Secretary, with the approval of the Governor, may transfer
17 classified positions between State departments and other components of the
18 Agency, subject to personnel laws and rules.

19 (b) Notwithstanding subsection (a) of this section, members from different
20 divisions of the Department of Law Enforcement shall not be reassigned or

1 transferred outside their division unless the member requests a transfer and the
2 Commissioner approves the transfer.

3 (c) The Secretary, with the approval of the Governor, may transfer
4 appropriations or parts thereof between departments and other components in
5 the Agency, consistent with the purposes for which the appropriation was
6 made.

7 Subchapter 3. Commissioners and Directors

8 § 5251. COMMISSIONERS; DEPUTY COMMISSIONERS;

9 APPOINTMENT; TERM

10 The Secretary, with the approval of the Governor, shall appoint a
11 commissioner of each department, who shall be the chief executive and
12 administrative officer and shall serve at the pleasure of the Secretary.

13 § 5252. MANDATORY DUTIES

14 (a) The Commissioner shall exercise the powers and perform the duties
15 required for the effective administration of the Department.

16 (b) The Commissioner, with the approval of the Governor, shall so
17 organize and arrange the Department as will best and most efficiently promote
18 its work and carry out the objectives of this chapter. The Commissioner may
19 formulate, put into effect, alter, and repeal rules for the administration of the
20 Department.

1 (c) In addition to other duties imposed by law, the Commissioner shall:

2 (1) administer the laws assigned to the Department;

3 (2) coordinate and integrate the work of the divisions; and

4 (3) supervise and control all staff functions.

5 § 5253. PERMISSIVE DUTIES; APPROVAL OF SECRETARY

6 (a) The Commissioner may, with the approval of the Secretary:

7 (1) transfer classified positions within or between divisions subject to
8 State personnel laws and rules;

9 (2) cooperate with the appropriate federal agencies and administer
10 federal funds in support of programs within the Department;

11 (3) submit plans and reports, and in other respects comply with federal
12 law and regulations that pertain to programs administered by the Department;

13 (4) make rules and policies consistent with law for the internal
14 administration of the Department and its programs;

15 (5) appoint a deputy commissioner;

16 (6) provide training and instructions for any employees of the
17 Department, at the expense of the Department, in educational institutions or
18 other places; and

19 (7) organize, reorganize, transfer, or abolish divisions, staff functions, or
20 sections within the Department.

1 (b) The Commissioner of the Department of Law Enforcement, with the
2 approval of the Secretary, may:

3 (1) designate or change the rank or grade to be held by a member in
4 accordance with the rules adopted by the Commissioner;

5 (2) assign or transfer members within a division to serve at such stations
6 and to perform such duties as the Commissioner shall designate; and

7 (3) determine what certified law enforcement officers other than State
8 Police officers shall give bonds and prescribe the conditions and amount.

9 (c) Notwithstanding anything to the contrary in this chapter, the divisions
10 within the Department of Law Enforcement shall not be abolished or
11 transferred and members from different divisions of the Department of Law
12 Enforcement shall not be reassigned or transferred outside their division unless
13 the member requests a transfer and the Commissioner approves the transfer.

14 § 5254. DIRECTORS

15 (a) A director shall administer each division within the Agency. The
16 commissioners, with the approval of the Secretary, shall appoint the directors
17 for divisions that are part of a department, and the Secretary shall appoint any
18 other directors whose appointment is not otherwise governed by law. Each
19 division and its officers shall be under the direction and control of the
20 appointing authority except with regard to the quasi-judicial acts or duties
21 vested in them by law.

1 (b) No rule or policy may be issued by a director of a division without the
2 approval of the appointing authority.

3 Subchapter 4. Departments, Divisions, and Boards

4 § 5281. DEPARTMENT OF LAW ENFORCEMENT

5 The Department of Law Enforcement is created within the Agency of
6 Public Safety.

7 § 5282. DEPARTMENT OF FIRE SAFETY AND EMERGENCY

8 MANAGEMENT

9 The Department of Fire Safety and Emergency Management is created
10 within the Agency of Public Safety. The Commissioner of Fire Safety and
11 Emergency Management, as Fire Marshal, shall be responsible for enforcing
12 the laws pertaining to the investigation of fires, the prevention of fires, the
13 promotion of fire safety, and the delivery of fire service training.

14 § 5283. DIVISION OF SUPPORT SERVICES

15 (a) The Division of Support Services is created within the Agency of Public
16 Safety. It shall be administered by the Deputy Secretary of the Agency.

17 (b) The Division of Support Services shall provide the following services
18 to the Agency, including the following components assigned to it for
19 administrative support:

20 (1) personnel administration;

21 (2) financing and accounting activities;

1 (3) coordination of filing and records maintenance activities;

2 (4) provision of facilities, office space, and equipment and the care
3 thereof;

4 (5) requisitioning from the Department of Buildings and General
5 Services of the Agency of Administration supplies, equipment, and other
6 requirements;

7 (6) management improvement services;

8 (7) training, including diversity, equity, and inclusion training;

9 (8) communications, including dispatch and radio technology;

10 (9) fleet services;

11 (10) information systems and technology, including the Vermont Crime
12 Information Center and the Sex Offender Registry;

13 (11) grant management; and

14 (12) other administrative functions assigned to it by the Secretary.

15 (c) Other provisions of the law notwithstanding, all administrative service
16 functions delegated to other components of the Agency shall be performed
17 within the Agency by the Division of Support Services.

18 § 5284. OFFICE OF COMMUNITY ENGAGEMENT

19 (a) The Office of Community Engagement is created within the Agency of
20 Public Safety. It shall be administered by the Deputy Secretary of the Agency.

- 1 (b) The Office of Community Engagement shall:
- 2 (1) create and execute a process to engage public safety stakeholders in
3 the development of key Agency policies with broad stakeholder interest;
- 4 (2) create and maintain a variety of mechanisms for community
5 feedback and engagement regarding the operations of the public safety system;
6 and
- 7 (3) maintain a list of relevant public safety stakeholders.

8 * * * Transfer of Funds, Equipment, and Positions * * *

9 Sec. 2. PROVISIONS FOR THE TRANSITION OF THE ENHANCED 911

10 BOARD

- 11 (a) All financial assets and liabilities of the Enhanced 911 Board, including
12 all appropriations associated with the positions transferred pursuant to
13 subsection (b) of this section, are transferred to the Agency of Public Safety.
- 14 (b) All authorized positions and equipment, supplies, and inventory of the
15 Enhanced 911 Board are transferred to the Agency of Public Safety.
- 16 (c) The Enhanced 911 Board shall have the administrative, technical, and
17 legal assistance of the Agency of Public Safety.
- 18 (d) The rules of the Enhanced 911 Board shall become a subtitle under the
19 rules of the Agency of Public Safety.

1 The Executive Director may, with the approval of the Board, hire employees,
2 agents, and consultants and prescribe their duties. The Executive Director
3 shall submit a budget to the Secretary. The Executive Director shall not be
4 under the direction and control of the Secretary except with regard to the
5 budget and other administrative functions given to the Director or the Board by
6 law.

7 Sec. 5. 30 V.S.A. § 7053 is amended to read:

8 § 7053. BOARD; RESPONSIBILITIES AND POWERS

9 (a) The Board shall be the single governmental agency responsible for
10 statewide Enhanced 911 pursuant to chapter 87 of this title and 3 V.S.A.
11 chapter 72. To the extent feasible, the Board shall consult with the Agency of
12 Human Services, the ~~Department~~ Agency of Public Safety, the Department of
13 Public Service, and local community service providers on the development of
14 policies, system design, standards, and procedures. The Board shall develop
15 designs, standards, and procedures and shall adopt rules on the following:

16 (1) The technical and operational standards for public safety answering
17 points.

18 (2) The system database standards and procedures for developing and
19 maintaining the database. The system database shall be the property of the
20 Board.

1 (3) Statewide, locatable means of identifying customer location, such as
2 addressing, geo-coding, or other methods of locating the caller.

3 (4) Standards and procedures to ensure system and database security.

4 * * *

5 * * * Statutory Changes for Department of Public Safety Becoming
6 Agency * * *

7 Sec. 6. 23 V.S.A. § 1 is amended to read:

8 § 1. ADMINISTRATION AND ENFORCEMENT OF TITLE

9 The Commissioner of Motor Vehicles and the Commissioner of ~~Public~~
10 ~~Safety~~ Law Enforcement shall cooperate in carrying out all the statutes and
11 rules adopted to implement the provisions of this title to achieve the most
12 efficient and economical administration. In case of disagreement as to division
13 of work, the Governor shall decide.

14 Sec. 7. 23 V.S.A. § 1600 is amended to read:

15 § 1600. DEFINITION

16 Notwithstanding subdivision 4(4) of this title, as used in this chapter,
17 “Commissioner” means the Commissioner of the Agency of Public Safety,
18 Department of Law Enforcement.

1 Sec. 8. 3 V.S.A. § 2101 is amended to read:

2 § 2101. CREATION

3 A cabinet is created in the Executive Branch of government ~~which~~ that shall
4 consist of the Secretaries of such agencies as are created by law, as well as
5 such Commissioners of the departments created by law as the Governor, in the
6 Governor’s discretion, shall appoint to be a member of the Cabinet.

7 Sec. 9. 20 V.S.A. § 3 is amended to read:

8 § 3. VERMONT EMERGENCY MANAGEMENT DIVISION

9 (a) There is hereby created within the ~~Department of Public Safety Agency~~
10 of Public Safety, Department of Fire Safety and Emergency Management, a
11 division to be known as the Vermont Emergency Management Division.

12 * * *

13 Sec. 10. 20 V.S.A. § 1871 is amended to read:

14 § 1871. ~~DEPARTMENT OF PUBLIC SAFETY; COMMISSIONER~~
15 CONTRACTING

16 (a) ~~The Department of Public Safety, created by 3 V.S.A. § 212, shall~~
17 ~~include a Commissioner of Public Safety.~~

18 (b) ~~The head of the Department shall be the Commissioner of Public~~
19 ~~Safety, who shall be a citizen of the United States and shall be selected on the~~
20 ~~basis of training, experience, and qualifications. The Commissioner shall be~~
21 ~~appointed by the Governor, with the advice and consent of the Senate.~~

1 ~~(e)~~(a) The Commissioner of ~~Public Safety~~ Law Enforcement may contract
2 for security and related traffic control; and receive reimbursement for
3 reasonable costs that shall include costs associated with providing personnel,
4 benefits, equipment, vehicles, insurances, and related expenses. These
5 reimbursements shall be credited to a special fund established pursuant to
6 32 V.S.A. chapter 7, subchapter 5; and be available to offset costs of providing
7 those services.

8 ~~(e)~~(b) The Commissioner of ~~Public Safety~~ Law Enforcement shall collect
9 fees for the termination of alarms at State Police facilities and for response to
10 false alarms.

11 ~~(e)~~(c) Termination Fees.

12 (1) The termination fee for a single dedicated circuit alarm at a State
13 Police facility ~~will~~ shall be \$250.00 per user per year.

14 (2) An alarm company or monitoring service that is authorized to install
15 a ~~multi-unit~~ multiunit alarm panel at a State Police facility ~~will~~ shall be
16 assessed a fee of \$25.00 per alarm with a minimum fee of \$250.00 per panel
17 per year.

18 (3) An individual or business who programs a tape dialer or other
19 automatic notification device to transmit a voice message to a State Police
20 facility, informing the police of a burglary or other emergency, must register
21 such dialer with the State Police facility and ~~will~~ shall be assessed a

1 registration fee of \$50.00 per year. The fee includes an onsite inspection by a
2 member of the State Police.

3 (4) If State Police respond to an alarm and it is found that the alarm was
4 transmitted by an unregistered tape dialer or similar notification device, a
5 registration fee of \$50.00 ~~will~~ shall be assessed subsequent to that response.
6 Unpaid registration fees are considered to be alarms in default and handled in
7 accordance with the provisions of the section on response terminations.

8 ~~(f)(d)~~ False Alarms alarms.

9 (1) A false alarm is notification given to the State Police by electronic or
10 telephonic means that an emergency situation exists, when an emergency or
11 other circumstance that could be perceived as an emergency does not exist and
12 to which the State Police have responded.

13 (2) Alarm periods shall be based on the calendar year, January 1 through
14 December 31.

15 (3) The first false alarm in an alarm period shall be at no cost. The
16 second false alarm in the alarm period shall be assessed at \$50.00 and each
17 successive false alarm in the same alarm period shall be assessed at \$75.00.

18 ~~(g)(e)~~ Response Terminations terminations.

19 (1) Alarm fees that have been assessed and not paid for a period of
20 60 days from the date of the last billing are considered alarms in default and
21 the State Police station commander, with the concurrence of the State Police

1 troop commander, may notify the alarm holder that the State Police will no
2 longer respond to alarms at that location as long as the alarm holder is in
3 default.

4 (2) When in the opinion of the station commander, with the concurrence
5 with the troop commander, there exists a chronic false alarm problem that the
6 alarm holder appears not to have taken reasonable measures to correct, the
7 station commander may send notification that the State Police will no longer
8 respond to alarms at that location until the problem is corrected even if the
9 alarm holder is not in default on fees assessed.

10 ~~(h)~~(f) Appeal. An alarm holder may appeal a decision of the station
11 commander to the troop commander.

12 ~~(i)~~(g) The Commissioner of ~~Public Safety~~ Law Enforcement may enter into
13 contractual arrangements to perform dispatching functions for State,
14 municipal, or other emergency services.

15 ~~(j)~~(h) Charges collected under subsections ~~(e)~~(c), ~~(f)~~(d), and ~~(i)~~(g) of this
16 section shall be credited to the Vermont Law Telecommunications Special
17 Fund and shall be available to the Department to offset the costs of providing
18 the services.

1 Sec. 11. 20 V.S.A. § 1872 is amended to read:

2 § 1872. DUTIES OF COMMISSIONER GENERALLY

3 The Commissioner shall be the chief enforcement officer of all the statutes
4 and rules pertaining to the law of the road and the display of lights on vehicles.
5 In addition, the Commissioner shall supervise and direct the activities of the
6 State Police and of the Vermont Crime Information Center ~~and, as Fire~~
7 ~~Marshal, be responsible for enforcing the laws pertaining to the investigation~~
8 ~~of fires, the prevention of fires, the promotion of fire safety, and the delivery of~~
9 ~~fire service training.~~

10 Sec. 12. 20 V.S.A. § 1874 is amended to read:

11 § 1874. ORGANIZATION OF DEPARTMENT BY COMMISSIONER

12 (a) The Commissioner of Law Enforcement, with the approval of the
13 Governor and the Secretary, shall so organize and arrange the Department of
14 Law Enforcement as will best and most efficiently promote its work and carry
15 out the objectives of this chapter and 3 V.S.A. chapter 72. To that end, the
16 Commissioner may, with the Governor's approval, create, rearrange, and
17 abolish divisions; establish grades, ranks, and positions to be held by
18 members; and formulate, put into effect, alter, and repeal rules for the
19 administration of the Department to the extent permitted by law.

20 * * *

1 Sec. 13. 20 V.S.A. § 1883 is amended to read:

2 § 1883. STATE LAW ENFORCEMENT; MEMORANDUM OF
3 UNDERSTANDING

4 (a) ~~The Commissioner of Public Safety~~ In anticipation of consolidating all
5 certified law enforcement resources into the Agency of Public Safety, the
6 Secretary of Public Safety shall develop and execute a memorandum of
7 understanding with the Commissioners of Fish and Wildlife, of Motor
8 Vehicles, and of Liquor and Lottery and their respective directors of law
9 enforcement. The memorandum of understanding shall ~~be reviewed at least~~
10 ~~every two years and shall~~ at a minimum address:

11 (1) ~~Maximizing~~ Consolidating collective resources ~~by and~~ reducing or
12 eliminating redundancies and implementing a methodology that will enhance
13 overall coordination and communication and standardize training and policies
14 while supporting the mission of individual enforcement ~~agencies~~ divisions.

15 (2) Providing for an overall statewide law enforcement strategic plan
16 supported by quarterly planning and implementation strategy sessions to
17 improve efficiencies and coordination on an operational level and ensure
18 ~~interagency~~ cooperation and collaboration of programs funded through grants.
19 The strategic plan should identify clear goals and performance measures that
20 demonstrate results, as well as specific strategic plans for individual
21 enforcement ~~agencies~~ divisions.

1 Sec. 14. 20 V.S.A. chapter 113, subchapter 2 is amended to read:

2 Subchapter 2. ~~State Police~~ Certified Law Enforcement Officers

3 § 1911. EXAMINATIONS; APPOINTMENT; PROMOTION; PROBATION

4 The Commissioner shall devise and administer examinations designed to
5 test the qualifications of applicants for positions as ~~State Police~~ certified law
6 enforcement officers assigned to the Department of Law Enforcement and only
7 those applicants shall be appointed or promoted who meet the prescribed
8 standards and qualifications. Where certified law enforcement officer
9 positions support the work of agencies or departments outside the Agency of
10 Public Safety, the Commissioner shall consult the agencies or departments
11 concerning the qualifications for the positions. All ~~State Police~~ certified law
12 enforcement officers assigned to the Department of Law Enforcement shall be
13 on probation for one year from the date of first appointment. Such
14 examinations shall be with the advice of the Department of Human Resources.

15 § 1912. BOND AND OATH

16 ~~State Police~~ Certified law enforcement officers assigned to the Department
17 of Law Enforcement shall give bond to the State, at the expense of the State, in
18 such penal sum as the Commissioner shall require, conditioned for the faithful
19 performance of their duties. ~~State Police~~ Certified law enforcement officers
20 assigned to the Department of Law Enforcement and auxiliary State police

1 shall take the oath of office prescribed for sheriffs before the Commissioner or
2 any person designated under 12 V.S.A. § 5852 to administer oaths.

3 § 1913. UNIFORMS AND EQUIPMENT

4 Within the appropriation for the Department, the Commissioner shall
5 provide the ~~State Police~~ certified law enforcement officers assigned to the
6 Department of Law Enforcement, and such other members as ~~he or she~~ the
7 Commissioner may designate, with uniforms and all members with the
8 equipment necessary in the performance of their respective duties, which shall
9 remain the property of the State. The Commissioner shall consult with
10 agencies and departments that are supported by certified law enforcement
11 officers assigned to the Department of Law Enforcement on the uniforms and
12 equipment necessary for those positions. The Commissioner may sell such
13 equipment as may become unfit for use, and all monies received from the sale
14 shall be paid into the State Treasury and credited to the ~~Department's~~
15 Agency's appropriation. The Commissioner shall keep an inventory and shall
16 charge against each member all property of the Department issued to ~~him or~~
17 ~~her~~ the member, and if the Commissioner ~~shall determine~~ determines that a
18 loss or destruction was due to the carelessness or neglect of the member, the
19 value of the property shall be deducted from ~~his or her~~ the member's pay.

1 § 1914. POWERS AND IMMUNITIES

2 The Commissioner of ~~Public Safety~~ Law Enforcement and ~~the State Police~~
3 all certified law enforcement officers assigned to the Department of Law
4 Enforcement shall be peace officers and shall have the same powers with
5 respect to criminal matters and the enforcement of the law relating to criminal
6 matters as sheriffs, constables, and local police have in their respective
7 jurisdictions, and shall have all the immunities and matters of defense now
8 available or hereafter made available to sheriffs, constables, and local police in
9 a suit brought against them in consequence of acts done in the course of their
10 employment. ~~State Police~~ Certified law enforcement officers assigned to the
11 Department of Law Enforcement shall be informing or complaining officers
12 with the same powers possessed by sheriffs, deputy sheriffs, constables, or
13 police officers of a city or incorporated village as provided in 13 V.S.A.

14 § 5507.

15 * * *

16 Sec. 15. 20 V.S.A. § 1933 is amended to read:

17 § 1933. DNA SAMPLE REQUIRED

18 * * *

19 (c) A person serving a sentence for a designated crime not confined to a
20 correctional facility shall have ~~his or her~~ DNA samples collected or taken at a
21 place and time designated by the Commissioner of Corrections, the

1 Commissioner of ~~Public Safety~~ Law Enforcement, or a court if the person has
2 not previously submitted a DNA sample in connection with the designated
3 crime for which ~~he or she~~ the person is serving the sentence.

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

5 § 2352. COUNCIL MEMBERSHIP

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

7 (A) the Commissioners of ~~Public Safety~~ Law Enforcement, of
8 Corrections, of Motor Vehicles, of Fish and Wildlife, and of Mental Health;

9 * * *

10 Sec. 17. REPEALS

11 3 V.S.A. § 212(18) (the Department of Public Safety) is repealed.

12 * * * Conforming Revisions * * *

13 Sec. 18. CONFORMING REVISIONS

14 When preparing the Vermont Statutes Annotated for publication, the Office
15 of Legislative Counsel shall make the following revisions throughout the
16 statutes as needed for consistency with this act, provided the revisions have no
17 other effect on the meaning of the affected statutes:

18 (1) replace “Department of Public Safety” with “Department of Law
19 Enforcement”; and

20 (2) revisions that are substantially similar to those described in
21 subdivision (1) of this section.

* * * Reporting * * *

Sec. 19. CREATION OF AGENCY OF PUBLIC SAFETY; REPORTS

(a) On or before November 15, 2022, the Secretary of the Agency of Public Safety shall report to the Governor, the leadership of the General Assembly, and the House and Senate Committees on Government Operations and on Judiciary on the status of the organizational transition and recommend any legislative changes needed to continue the orderly and efficient organizational transition of the Agency of Public Safety.

(b) On or before October 15, 2023, the Secretary of the Agency of Public Safety shall study the effectiveness, efficiency, and delivery of State public safety law enforcement services and shall report to the Governor and the General Assembly on the feasibility and advisability of transferring the operations of the Department of Motor Vehicles certified law enforcement officers, Department of Fish and Wildlife certified law enforcement officers, Department of Liquor and Lottery certified law enforcement officers, the Capitol Police, and the Department of Labor relating to VOSHA, Project WorkSAFE, and Passenger Tramway Safety to the Agency of Public Safety.

(c) On or before November 15, 2023, the Secretary of the Agency of Public Safety shall report to the Governor, the leadership of the General Assembly, and the House and Senate Committees on Government Operations and on Judiciary on the status of the organizational transition and recommend any

1 legislative changes needed to continue an orderly and efficient organizational
2 transition.

3 Sec. 20. UNIFICATION OF ANIMAL WELFARE AND RELATED
4 PUBLIC SAFETY FUNCTIONS; REPORT

5 (a) On or before January 15, 2023, the Department of Public Safety, in
6 consultation with the Agency of Agriculture and any other State agency,
7 division, or department where domestic animal welfare functions reside, shall
8 report to the House and Senate Committees on Government Operations with a
9 plan to unify the domestic animal welfare and related public safety functions
10 across State government. The report, which shall include draft legislation to
11 enact the plan, shall focus on the intersection of existing domestic animal
12 welfare functions and the role of the Department of Public Safety and shall
13 include:

14 (1) an inventory of all existing domestic animal welfare and related
15 public safety functions across all agencies, including citations to existing
16 statutes;

17 (2) an inventory of all personnel, with job descriptions, responsible for
18 carrying out the functions in the inventory required by subdivision (1) of this
19 subsection (a);

1 (b) Sec. 1 (agency creation) shall take effect on July 1, 2022, except that in
2 Sec. 1, 3 V.S.A. § 5202(c)(11) (E-911 board) shall take effect on July 1, 2023.

3 (c) Secs. 2 and 4–5 (transition and conforming statutory revisions for the E-
4 911 Board) shall take effect on July 1, 2023.

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12 (Committee vote: _____)

13

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Senator _____

15

FOR THE COMMITTEE