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**Act No. 143 (S.310). An act relating to natural disaster government response, recovery, and resiliency**

**Subjects: Internal security and public safety; taxation and finance; natural disaster recovery**

This act contains sections addressing various issues relating to natural disaster government response, recovery, and resiliency.

Creation of the Community Resilience and Disaster Mitigation Grant Program and Fund

Sec. 1 adds 20 V.S.A. § 48 (Community Resilience and Disaster Mitigation Grant Program), creating the Community Resilience and Disaster Mitigation Grant Program to be administered by the Department of Public Safety for the purpose of awarding grants for municipal disaster mitigation projects.

Sec. 2 adds 20 V.S.A. § 49 (Community Resilience and Disaster Mitigation Fund), creating the fund from which the grant program will draw. It also requires an annual report back to the General Assembly from the Department of Public Safety with a summary of each project receiving funding.

Sec. 3 was deleted.

Sec. 4 increases the amount to be annually allocated to the Emergency Medical Services Special Fund to be increased from \$150,000 to \$450,000.

Credit Facilities for Local Investments

Sec. 4a amends [10 V.S.A. § 10](#) by creating two new subsections: (c) enables the State Treasurer to create an additional credit facility of up to 2.5% of the State's average cash balance for financing local investments relating to climate infrastructure and resilience projects; and (d) requires the Treasurer to annually report to the General Assembly the activities, financing, and accounting of any credit facilities created pursuant to subsection (c).

Sec. 4b permits the Treasurer to use funds appropriated in fiscal year 2025 to coordinate climate infrastructure financing efforts within the State, including use for administrative costs and third-party consultations. The Treasurer shall report by December 15, 2024, to the General Assembly detailing the status of coordination efforts and with any recommendations regarding legislation.

Defining First Responder

Sec. 5 amends 20 V.S.A. § 2 (definitions) and creates a definition for the term "first responder." This term now arises in the context of planning for emergencies and all-hazards events.

Sec. 6 was deleted.

Sec. 6a was deleted.

### Emergency Management

Sec. 7 amends 20 V.S.A. § 6 (local and regional organization for emergency management) to add representatives from local libraries, arts and culture organizations, regional development corporations, local business organizations, and community-based emergency or charitable food providers to the list of nonvoting members of regional emergency management committees. This section also requires the Department of Public Safety’s Division of Emergency Management to advise municipalities on where to locate emergency shelters.

Sec. 7a requires the Department for Children and Families to report back on the resources needed to enable Vermont to implement the Supplemental Nutrition Assistance Program’s Restaurant Meals Program.

Sec. 8 amends 20 V.S.A. § 31 (State Emergency Response Commission; duties) to clarify that the State Emergency Response Commission has the authority to ensure that the State Emergency Management Plan will go into effect when an accident occurs involving the transportation of hazardous materials.

Sec. 9 amends 20 V.S.A. § 32 (local emergency planning committees; creation; duties) to clarify that “local emergency planning committee” is a federal term used by FEMA—rather than a State term—which originates in the Emergency Planning and Community Right-To-Know Act (“EPCRA”) of 1986, 42 U.S.C. §§ 11001–11050.

Sec. 10 codifies the State Emergency Management Plan as created by the Department of Public Safety’s Vermont Emergency Management Division and requires that the Plan be updated as necessary, but at least every five years.

Sec. 11 requires the Division of Vermont Emergency Management to perform an “after action review.” In addition to the federal Homeland Security Exercise and Evaluation Program’s requirements, the review may include examining the adequacy of early warning and evacuation orders, designated evacuation routes and emergency shelters, the present system of local emergency management directors in widespread emergencies, and the State’s present emergency communications systems. The Division will also publish best management practices for rebuilding after emergencies and report back to both the Senate Committee on Government Operations and the House Committee on Government Operations and Military Affairs on both the outcome of the review and the best management practices.

Sec. 12 was deleted.

### Municipal Stormwater Utilities

Secs. 13–15 modify how stormwater rates are assessed and how the associated revenue may be used. Sewage system commissioners may now set stormwater rates for equivalent residential units based on an average area of impervious surface on residential property within the municipality. Revenues may be used for stormwater management, control, and treatment; flood resiliency; floodplain restoration; and other similar measures.

### Creation of the Urban Search and Rescue Team

Sec. 16 adds 20 V.S.A. § 50 (Urban Search and Rescue Team), which creates the Urban Search and Rescue (USAR) Team within the Department of Public Safety. “Urban” is a federal term; this team will respond to emergencies throughout all of the State, regardless of whether an area is urban, rural, etc.

### Vermont-211 Information Privacy

Sec. 17 requires Vermont 211 to keep confidential any personal information acquired from victims of natural disasters except for coordinating relief work for affected individuals.

### Emergency Communications

Sec. 18 requires the Emergency Management Division, in consultation with the Enhanced E-911 Board, to develop a policy using E-911 to provide more effective VT-Alerts in large emergencies.

Sec. 19 amends 30 V.S.A. § 7055 (originating carrier coordination) to modernize statutory language so that “originating carriers” are required to provide location and caller data in accordance with current 911 standards.

Sec. 20 requires the Enhanced 911 Board, in consultation with the Public Utilities Commission, to evaluate and report on the current tariffs for service elements necessary for the provision of Enhanced 911 services.

### Language Assistance Services for State Emergency Communications

Sec. 21 adds 20 V.S.A. § 4 (language assistance services for state emergency communications), which requires the Emergency Management Division to ensure language assistance services are being provided to individuals who are Deaf, Hard of Hearing, and DeafBlind and to individuals with limited English proficiency for all State emergency communications. While the other sections of this act shall take effect on July 1, 2024, Sec. 21 will take effect on July 1, 2025 to allow the Working Group’s report to be issued before the language assistance services requirements of 20 V.S.A. § 4 take effect.

Sec. 22 was deleted.

Sec. 23 creates the “Language Assistance Services for Emergency Communications Working Group” to develop and report on best practices for the distribution of language assistance services on mass communication platforms to ensure emergency communications are being effectively delivered to individuals who are Deaf, Hard of Hearing, or DeafBlind and to individuals with limited English language proficiency.

### Post-Secondary Disaster Management Programs

Sec. 24 requires the Vermont State University and the President or designee for the University of Vermont to report on potentially creating post-secondary disaster management programs.

Emergency Powers of the Governor and Emergency Management

Sec. 25 amends 20 V.S.A. § 1 (purpose and policy), clarifying language regarding the Governor’s emergency powers.

Sec. 26 amends 20 V.S.A. § 8 (general powers of Governor), inserting the term “first responder” and adding considerations for water and fuel in emergency response.

Sec. 27 amends 20 V.S.A. § 9 (emergency powers of Governor), inserting the term “first responder” and updating terminology for consistency across statutory sections.

Sec. 28 amends 20 V.S.A. § 11 (additional emergency powers), clarifying who at the local level may be designated an emergency management director. This section also clarifies language regarding temporary and permanent takings during an emergency.

Sec. 29 amends 20 V.S.A. § 13 (termination of emergencies), updating terminology for consistency across statutory sections.

Sec. 30 amends 20 V.S.A. § 17 (gifts, grants, or loan), modifying the processes for the Governor accepting gifts, grants, or loans during a declared state of emergency. Any services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management, accepted by the Governor from private or federal sources shall be accepted in accordance with the regular non-emergency processes under 32 V.S.A. § 5 *unless* there exists a reasonable expectation that without the acceptance the all-hazards event will imminently cause bodily harm, loss of life, or significant property damage within the State, in which case the Governor shall have the sole authority to accept these.

Sec. 31 amends 20 V.S.A. § 26 (change of venue because of an All-Hazards Event), updating terminology for consistency across statutory sections.

Sec. 32 amends 20 V.S.A. § 30 (State Emergency Response Commission; creation) adding a tenth public member to the State Emergency Response Commission and shifting the process for appointing members from only the Governor to rotating between the Governor, the Speaker of the House, and the Senate Committee on Committees.

Sec. 33 amends 20 V.S.A. § 34 (temporary housing for disaster victims), clarifying language and updating terminology for consistency across statutory sections.

Sec. 34 amends 20 V.S.A. § 39 (fees to the Hazardous Substances Fund) by merging the language of the now-repealed 20 V.S.A. § 40 (enforcement).

Sec. 35 repeals 20 V.S.A. § 40 (enforcement).

Sec. 36 was deleted.

Sec. 37 was deleted.

Multiple effective dates, beginning on July 1, 2024