

1 H.678

2 Introduced by Representatives Jerome of Brandon, Carroll of Bennington,  
3 Marcotte of Coventry, Priestley of Bradford, White of Bethel,  
4 and Williams of Barre City

5 Referred to Committee on

6 Date:

7 Subject: Internal security and public safety; emergency management;  
8 emergency management personnel

9 Statement of purpose of bill as introduced: This bill proposes to define the  
10 term “first responder” for purposes of the statutes governing emergency  
11 management and to require local emergency management organizations and  
12 local emergency planning committees to incorporate information regarding the  
13 utilization of first responders and other emergency management personnel into  
14 emergency management plans.

15 An act relating to utilization of first responders in emergency management

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

17 Sec. 1. 20 V.S.A. § 2 is amended to read:

18 § 2. DEFINITIONS

19 As used in this chapter:

20 \* \* \*

1           (6) “Emergency management” means the preparation for and  
2 implementation of all emergency functions, other than the functions for which  
3 the U.S. Armed Forces or other federal agencies are primarily responsible, to  
4 prevent, plan for, mitigate, and support response and recovery efforts from all-  
5 hazards. Emergency management includes the utilization of first responders  
6 and other emergency management personnel and the equipping, exercising,  
7 and training designed to ensure that this State and its communities are prepared  
8 to deal with all-hazards.

9           (7) “First responder” means State, county, and local governmental and  
10 nongovernmental personnel who provide immediate support services necessary  
11 to perform emergency management functions, including:

12                   (A) emergency management and public safety personnel;

13                   (B) firefighters, as that term is defined in section 3151 of this title;

14                   (C) law enforcement officers, as that term is defined in section 2351a  
15 of this title;

16                   (D) public safety telecommunications and dispatch personnel;

17                   (E) emergency medical personnel and volunteer personnel, as those  
18 terms are defined in 24 V.S.A. § 2651;

19                   (F) licensed professionals who provide clinical services, including  
20 emergency care, in hospitals;

21                   (G) public health personnel;



1 Sec. 2. 20 V.S.A. § 6 is amended to read:

2 § 6. LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT

3 (a) Each town and city of this State is hereby authorized and directed to  
4 establish a local organization for emergency management in accordance with  
5 the State emergency management plan and program. The executive officer or  
6 legislative branch of the town or city is authorized to appoint a town or city  
7 emergency management director who shall have direct responsibility for the  
8 organization, administration, and coordination of the local organization for  
9 emergency management, subject to the direction and control of the executive  
10 officer or legislative branch. If the town or city ~~that~~ has not adopted the town  
11 manager form of government in accordance with 24 V.S.A. chapter 37 and the  
12 executive officer or legislative branch of the town or city has not appointed an  
13 emergency management director, the executive officer or legislative branch  
14 shall be the town or city emergency management director. The town or city  
15 emergency management director may appoint an emergency management  
16 coordinator and other staff as necessary to accomplish the purposes of this  
17 chapter.

18 (b) Each local organization for emergency management shall perform  
19 emergency management functions within the territorial limits of the town or  
20 city within which it is organized ~~and, in~~ which may include directing the  
21 utilization of first responders and other emergency management personnel

1 pursuant to the all-hazards emergency management plan adopted pursuant to  
2 subsection (c) of this section. In addition, each local organization for  
3 emergency management shall conduct such functions outside the territorial  
4 limits as may be required pursuant to the provisions of this chapter and in  
5 accord with rules adopted by the Governor.

6 (c) Each local organization shall develop and maintain an all-hazards  
7 emergency management plan in accordance with guidance set forth by the  
8 Division of Emergency Management.

9 (d) Regional emergency management committees shall be established by  
10 the Division of Emergency Management.

11 \* \* \*

12 (3) A regional emergency management committee shall consist of  
13 voting and nonvoting members.

14 (A) Voting members. The local emergency management director or  
15 designee and one representative from each town and city in the region shall  
16 serve as the voting members of the committee. A representative from a town  
17 or city shall be a member of the town's or city's emergency services  
18 community and shall be appointed by the town's or city's executive or  
19 legislative branch.

20 (B) Nonvoting members. Nonvoting members may include  
21 representatives from the following organizations serving within the region:

1 fire departments, emergency medical services, law enforcement, other entities  
2 providing first responders or other emergency management personnel, media,  
3 transportation, regional planning commissions, hospitals, the Department of  
4 Health's district office, the Division of Emergency Management, organizations  
5 serving vulnerable populations, and any other interested public or private  
6 individual or organization.

7 \* \* \*

8 Sec. 3. 20 V.S.A. § 8 is amended to read:

9 § 8. GENERAL POWERS OF GOVERNOR

10 \* \* \*

11 (b) In performing the duties under this chapter, the Governor is further  
12 authorized and empowered:

13 \* \* \*

14 (3) Inventories, training, mobilization. In accordance with the plan and  
15 program for the emergency management of the State:

16 \* \* \*

17 (C) to institute training programs and public information programs,  
18 and to take all other preparatory steps, including the partial or full mobilization  
19 of emergency management organizations in advance of actual disaster, to  
20 ensure the furnishing of adequately trained and equipped forces of first  
21 responders and other emergency management personnel in time of need.

1 \* \* \*

2 Sec. 4. 20 V.S.A. § 9 is amended to read:

3 § 9. EMERGENCY POWERS OF GOVERNOR

4 Subject to the provisions of this chapter, in the event of an all-hazards event  
5 in or directed upon the United States or Canada that causes or may cause  
6 substantial damage or injury to persons or property within the State in any  
7 manner, the Governor may proclaim a state of emergency within the entire  
8 State or any portion or portions of the State. Thereafter, the Governor shall  
9 have and may exercise for as long as the Governor determines the emergency  
10 to exist the following additional powers within such area or areas:

11 (1) To enforce all laws and rules relating to emergency management and  
12 to assume direct operational control of all first responders, other emergency  
13 management personnel, and helpers in the affected area or areas.

14 \* \* \*

15 Sec.5. 20 V.S.A. § 32 is amended to read:

16 § 32. LOCAL EMERGENCY PLANNING COMMITTEES; CREATION;  
17 DUTIES

18 \* \* \*

19 (b) All local emergency planning committees shall include representatives  
20 from the following: fire departments; local and regional emergency medical  
21 services; local, county, and State law enforcement; other entities providing first

1 responders or emergency management personnel; media; transportation;  
2 regional planning commissions; hospitals; industry; the Vermont National  
3 Guard; the Department of Health's district office; and an animal rescue  
4 organization, and may include any other interested public or private individual  
5 or organization. Where the local emergency planning committee represents  
6 more than one region of the State, the Commission shall appoint  
7 representatives that are geographically diverse.

8 (c) A local emergency planning committee shall perform all the following  
9 duties:

10 (1) Carry out all the requirements of a committee pursuant to EPCRA,  
11 including preparing a local emergency planning committee plan. The plan  
12 shall be coordinated with the State emergency management plan and may be  
13 expanded to address all-hazards identified in the State emergency management  
14 plan. At a minimum, the local emergency planning committee plan shall  
15 include the following:

16 \* \* \*

17 (B) Describes the utilization of first responders and other emergency  
18 management personnel and emergency response procedures, including those  
19 identified in facility plans.

20 \* \* \*



