

1 S.310

2 Introduced by Committee on Government Operations

3 Date: February 6, 2024

4 Subject: Internal security and public safety; taxation and finance; natural
5 disaster recovery

6 Statement of purpose of bill as introduced: This bill proposes to create the
7 Community Resilience and Disaster Mitigation Grant Program and the
8 Community Resilience and Disaster Mitigation Fund. This bill proposes to
9 define emergency response personnel and require local emergency
10 management organizations and local emergency planning committees to
11 incorporate information regarding the utilization of emergency response
12 personnel into emergency management plans. This bill proposes to
13 consolidate existing laws governing sewer utilities, amend the authority of
14 sewer utilities to adopt rates based on equivalent residential units, and establish
15 a grant program for certain joint operations of municipal stormwater utilities.
16 The bill proposes to authorize the Department of Public Safety to create the
17 Urban Search and Rescue Team to provide for the rapid response of trained
18 professionals to emergencies and other hazards occurring in the State. This
19 bill proposes to require Vermont 211 to keep confidential any personal
20 information acquired from victims of natural disasters except for coordinating
21 relief work for individuals. This bill proposes to require a policy making E-

1 911 and VT-Alerts more responsive in large emergencies, to have VoIP service
2 providers provide subscriber information to the Enhanced 911 Board, and to
3 require required to telecommunications companies to notify their customers of
4 outages impacting communication with 911 or receiving emergency
5 notifications. This bill proposes to require the Vermont Emergency
6 Management Division to publish best management practices for rebuilding
7 after emergencies and for the placement and funding of local emergency
8 shelters, and to provide interpretation services for emergency communications.
9 This bill proposes to create a Chief Climate Resilience Officer in the
10 Department of Public Safety. This bill proposes to require the Vermont State
11 University and the President or designee for the University of Vermont report
12 on potentially creating postsecondary disaster management programs.

13 An act relating to natural disaster government response, recovery, and
14 resiliency

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

16 ~~*** Creation of the Community Resilience and Disaster~~

17 Mitigation Fund ***

18 Sec. 1. 20 V.S.A. § 48 is added to read:

19 § 48. COMMUNITY RESILIENCE AND DISASTER MITIGATION

20 GRANT PROGRAM

1 ~~(a) Program established. There is established the Community Resilience
2 and Disaster Mitigation Grant Program to award grants to covered
3 municipalities to provide support for disaster mitigation activities.~~

4 ~~(b) Definition. As used in this section, “covered municipality” means a~~
5 ~~city, town, fire district or incorporated village, and all other governmental~~
6 ~~incorporated units that have adopted the State’s model flood hazard bylaws.~~

7 ~~(c) Administration; implementation.~~

8 ~~(1) Grant awards. The Department of Public Safety, in coordination~~
9 ~~with the Department of Environmental Conservation, shall administer the~~
10 ~~Program, which shall award grants for the following:~~

11 ~~(A) technical assistance on natural disaster mitigation to~~
12 ~~municipalities; and~~

13 ~~(B) projects that implement disaster mitigation measures, including~~
14 ~~watershed restoration and similar activities that directly reduce risks to~~
15 ~~communities, lives, and property.~~

16 ~~(2) Grant Program design. The Department of Public Safety, in~~
17 ~~coordination with the Department of Environmental Conservation, shall design~~
18 ~~the Program. The Program design shall:~~

19 ~~(A) establish an equitable system for distributing grants statewide on~~
20 ~~the basis of need according to a system of priorities, including the following~~
21 ~~ranked in priority order.~~

1 ~~(i) projects that meet the standards established by the Department~~
2 ~~of Environmental Conservation's Stream Alteration Rule and Flood Hazard~~
3 ~~Area and River Corridor Rule.~~

4 ~~(ii) projects that use funding as a match for other grants, including~~
5 ~~grants from the Federal Emergency Management Agency (FEMA);~~

6 ~~(iii) projects that are in hazard mitigation plans; and~~

7 ~~(iv) projects that are geographically located around the State, but~~
8 ~~with a priority for projects in communities identified as high on the municipal~~
9 ~~vulnerability index, as determined by the Vermont Climate Council;~~

10 ~~(B) establish guidelines for disaster mitigation measures and costs~~
11 ~~that will be eligible for grant funding; and~~

12 ~~(C) establish eligibility criteria for covered municipalities.~~

13 Sec. 2. 20 V.S.A. § 49 is added to read:

14 § 49. COMMUNITY RESILIENCE AND DISASTER MITIGATION

15 FUND

16 (a) Creation. There is established the Community Resilience and Disaster
17 Mitigation Fund to provide funding to the Community Resilience and Disaster
18 Mitigation Grant Program established in section 48 of this title. The Fund
19 shall be administered by the Department of Public Safety.

20 (b) Monies in the Fund. The Fund shall consist of monies appropriated to
21 the Fund.

1 (c) Fund administration

2 (1) The Commissioner of Finance and Management may anticipate
3 receipts to this Fund and issue warrants based thereon.

4 (2) The Commissioner of Public Safety shall maintain accurate and
5 complete records of all receipts by and expenditures from the Fund.

6 (3) All balances remaining at the end of a fiscal year shall be carried
7 over to the following year.

8 (d) Reports. On or before January 15 each year, the Commissioner of
9 Public Safety shall submit a report to the House Committee on Environment
10 and Energy and the Senate Committee on Natural Resources and Energy with
11 an update on the expenditures from the Fund. For each fiscal year, the report
12 shall include a summary of each project receiving funding. The provisions of
13 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to
14 be made under this subsection.

15 Sec. 3. COMMUNITY RESILIENCE AND DISASTER MITIGATION

16 GRANT PROGRAM; APPROPRIATION

17 In fiscal year 2024, the amount of \$15,000,000.00 in general funds shall be
18 appropriated to the Community Resilience and Disaster Mitigation Fund
19 established in 20 V.S.A. § 49.

~~*** Emergency Response Personnel ***~~

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

§ 2. DEFINITIONS

As used in this chapter:

~~***~~

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

(7) “Emergency response personnel” means State, county, and local governmental and nongovernmental personnel who provide immediate support services necessary to perform emergency management functions, including:

(A) emergency management personnel;

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

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

~~(D) public safety telecommunications and dispatch personnel,~~

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

3 (F) licensed professionals who provide clinical and emergency health
4 care in hospitals;

5 (G) public health personnel;

6 (H) public works personnel;

7 (I) water and wastewater systems personnel; and

8 (J) equipment operators and other skilled personnel, who provide
9 services necessary to enable the performance of emergency management
10 functions.

11 (8) “Hazard mitigation” means any action taken to reduce or eliminate
12 the threat to persons or property from all-hazards.

13 ~~(8)~~(9) “Hazardous chemical or substance” means:

14 * * *

15 ~~(9)~~(10) “Hazardous chemical or substance incident” means any mishap
16 or occurrence involving hazardous chemicals or substances that may pose a
17 threat to persons or property.

18 ~~(10)~~(11) “Homeland security” means the preparation for and carrying
19 out of all emergency functions, other than the functions for which the U.S.
20 Armed Forces or other federal agencies are primarily responsible, to prevent,

1 ~~minimize, or repair injury and damage resulting from or caused by enemy~~
2 ~~attack, sabotage, or other hostile action.~~

3 ~~(1)(12) “Radiological incident” means any mishap or occurrence~~
4 ~~involving radiological activity that may pose a threat to persons or property.~~

5 Sec. 5. 20 V.S.A. § 6 is amended to read:

6 § 6. LOCAL ORGANIZATION FOR EMERGENCY MANAGEMENT

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

1 ~~(b) Each local organization for emergency management shall perform~~
2 emergency management functions within the territorial limits of the town or
3 city within which it is organized and, in which may include directing the
4 utilization of emergency response personnel pursuant to the all-hazards
5 emergency management plan adopted pursuant to subsection (c) of this
6 section. In addition, each local organization for emergency management shall
7 conduct such functions outside the territorial limits as may be required
8 pursuant to the provisions of this chapter and in accord with rules adopted by
9 the Governor.

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

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

15 * * *

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

18 (A) Voting members. The local emergency management director or
19 designee and one representative from each town and city in the region shall
20 serve as the voting members of the committee. A representative from a town
21 or city shall be a member of the town's or city's emergency services

1 community and shall be appointed by the town's or city's executive or
2 legislative branch.

3 (B) Nonvoting members. Nonvoting members may include
4 representatives from the following organizations serving within the region: fire
5 departments, emergency medical services, law enforcement, other entities
6 providing emergency response personnel, media, transportation, regional
7 planning commissions, hospitals, the Department of Health's district office,
8 the Division of Emergency Management, organizations serving vulnerable
9 populations, and any other interested public or private individual or
10 organization.

11 * * *

12 Sec. 6. 20 V.S.A. § 32 is amended to read:

13 § 32. LOCAL EMERGENCY PLANNING COMMITTEES; CREATION;
14 DUTIES

15 * * *

16 (b) All local emergency planning committees shall include representatives
17 from the following: fire departments; local and regional emergency medical
18 services; local, county, and State law enforcement; other entities providing
19 emergency response personnel; media; transportation; regional planning
20 commissions; hospitals; industry; the Vermont National Guard; the Department
21 of Health's district office, and an animal rescue organization, and may include

1 ~~any other interested public or private individual or organization. Where the~~
2 local emergency planning committee represents more than one region of the
3 State, the Commission shall appoint representatives that are geographically
4 diverse.

5 (c) A local emergency planning committee shall perform all the following
6 duties:

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

13 * * *

14 (B) Describes the utilization of emergency response personnel and
15 emergency response procedures, including those identified in facility plans.

16 * * *

17 (3) Consult and coordinate with the heads of local government
18 emergency services, the emergency management director or designee, persons
19 in charge of local emergency response personnel, regional planning
20 commissions, and the managers of all facilities within the jurisdiction
21 ~~regarding the facility plan.~~

1 * * *

2 (5) Work to support the various emergency services and other entities
3 providing emergency response personnel, mutual aid systems, town
4 governments, regional planning commissions, State agency district offices, and
5 others in their area in conducting coordinated all-hazards emergency
6 management activities.

7 * * * Municipal Stormwater Utilities * * *

8 Sec. 7. 24 V.S.A. chapter 101 is amended to read:

9 CHAPTER 101. SEWAGE, SEWAGE DISPOSAL SYSTEM, AND
10 STORMWATER SYSTEMS

11 § 3601. DEFINITIONS

12 ~~The definitions established in section 3501 of this title shall establish the~~
13 ~~meanings of those words as used in this chapter, and the following words and~~
14 ~~phrases as used in~~ As used in this chapter shall have the following meanings:

15 (1) ~~“Necessity” means a reasonable need that considers the greatest~~
16 ~~public good and the least inconvenience and expense to the condemning party~~
17 ~~and to the property owner. Necessity shall not be measured merely by expense~~
18 ~~or convenience to the condemning party. Due consideration shall be given to~~
19 ~~the adequacy of other property and locations; to the quantity, kind, and extent~~
20 ~~of property that may be taken or rendered unfit for use by the proposed taking;~~
21 ~~to the probable term of unfitness for use of the property, to the effect of~~

1 ~~construction upon scenic and recreational values, upon home and homestead~~
2 ~~rights and the convenience of the owner of the land; to the effect upon town~~
3 ~~grand list and revenues.~~

4 (2) “Board” means the board of sewage disposal system commissioners.

5 (2) “Domestic sewage” or “house sewage” means sanitary sewage
6 derived principally from dwellings, business buildings, and institutions.

7 (3) “Industrial wastes” or “trade wastes” means liquid wastes from
8 industrial processes, including suspended solids.

9 (4) “Necessity” means a reasonable need that considers the greatest
10 public good and the least inconvenience and expense to the condemning party
11 and to the property owner. Necessity shall not be measured merely by expense
12 or convenience to the condemning party. Due consideration shall be given to
13 the adequacy of other property and locations; to the quantity, kind, and extent
14 of property that may be taken or rendered unfit for use by the proposed taking;
15 to the probable term of unfitness for use of the property; to the effect of
16 construction upon scenic and recreational values, upon home and homestead
17 rights and the convenience of the owner of the land; and to the effect upon
18 town grand list and revenues.

19 (5) “Sanitary sewage” means used water supply commonly containing
20 human excrement.

1 ~~(6) "Sanitary treatment" means an approved method of treatment of~~
2 ~~solids and bacteria in sewage before final discharge.~~

3 ~~(7) "Sewage" means the used water supply of a community, including~~
4 ~~such groundwater, surface, and stormwater as may or may not be mixed with~~
5 ~~these liquid wastes from the community.~~

6 ~~(8) "Sewage system" means any equipment, pipe line system, and~~
7 ~~facilities as are needed for and appurtenant to the treatment or disposal of~~
8 ~~sewage and waters, including a sewage treatment or disposal plant and separate~~
9 ~~pipe lines and structural or nonstructural facilities as are needed for and~~
10 ~~appurtenant to the treatment or disposal of storm, surface, and subsurface~~
11 ~~waters.~~

12 ~~(9) The phrase "sewage treatment or disposal plant" shall include~~
13 ~~includes, for the purposes of this chapter, any plant, equipment, system, and~~
14 ~~facilities, whether structural or nonstructural, as are necessary for and~~
15 ~~appurtenant to the treatment or disposal by approved sanitary methods of~~
16 ~~domestic sewage, garbage, industrial wastes, stormwater, or surface water.~~

17 ~~(10) "Stormwater" or "storm sewage" has the same meaning as~~
18 ~~"stormwater runoff" under 10 V.S.A. § 1264.~~

19 § 3602. BOARD OF COMMISSIONERS; MEMBERSHIP

20 ~~(a) Except as provided for in subsection (b) of this section, the selectboard~~
21 ~~of a town, the trustees of a village, the prudential committee of a fire or~~

1 ~~lighting district, or the mayor and board of aldermen of a city, shall be the~~
2 ~~board of commissioners for the sewage system of a municipality.~~

3 ~~(b) The legislative body of the municipality may vote to constitute a~~
4 ~~separate board of sewage system commissioners. The board shall have not less~~
5 ~~than three nor more than seven members, who shall be legally qualified voters~~
6 ~~of the municipality. Members shall be appointed, and any vacancy filled, by~~
7 ~~the legislative body of the municipality. The term of each member shall be~~
8 ~~four years. Any member may be removed by the legislative body of the~~
9 ~~municipality for just cause after due notice and hearing.~~

10 ~~§ 3603. BOARD OF COMMISSIONERS; DUTIES AND AUTHORITY~~

11 ~~(a) The board shall have the supervision of the municipal sewage system~~
12 ~~and shall make and establish all needed rates for rent and rules for control and~~
13 ~~operation of the system. The board may to require any individual, person, or~~
14 ~~corporation to connect to the municipal sewage system for the purposes of~~
15 ~~abating pollution of the waters of the State.~~

16 ~~(b) The commissioners may appoint or remove a superintendent at their~~
17 ~~pleasure.~~

18 ~~§ 3602 3604. SEWAGE DISPOSAL PLANT, SYSTEM; CONSTRUCTION~~

19 A municipal corporation may:

20 (1) construct, maintain, operate, and repair a sewage disposal plant and
21 ~~system, to,~~

1 ~~(2) pursuant to the procedures established in this chapter, take, purchase,~~
2 and acquire, ~~in the manner hereinafter mentioned,~~ real estate and easements
3 necessary for its purposes;

4 ~~(3) may enter in and upon any land for the purpose of making surveys;~~
5 ~~and~~

6 ~~(4) may lay pipes and sewers, and connect the same those pipes and~~
7 ~~sewers as may be necessary to convey sewage for the purpose of disposing and~~
8 ~~dispose of sewage by such municipal corporation.~~

9 § ~~3603~~ 3605. ENTRY ON LANDS

10 ~~Such~~ A municipal corporation, for the purposes enumerated in section ~~3602~~
11 ~~3604~~ of this title ~~chapter~~, may:

12 ~~(1) enter upon and use any land and enclosures over or through which it~~
13 ~~may be necessary for pipes and sewer to pass, and may thereon;~~

14 ~~(2) at any time place, lay and construct such any pipes and sewers,~~
15 ~~appurtenances, and connections as may be necessary for the complete~~
16 ~~construction and repairing of the same from time to time, may the system; and~~

17 ~~(3) open the ground in any streets, lanes, avenues, highways, and public~~
18 ~~grounds for the purposes hereof; described in this section, provided that such~~
19 ~~the streets, lanes, avenues, highways, and public grounds shall not be injured,~~
20 ~~but shall be left in as good condition as before the laying of such the pipes and~~
21 ~~sewers.~~

~~§ 3604 3606. PETITION FOR HEARING TO DETERMINE NECESSITY~~

~~The municipal corporation may agree with all the owners of land or interest in land affected by the a survey made under section 3602 3604 of this title chapter for the conveyance of their the owners' interest. Where such the agreement is not made, the board shall petition a Superior judge the Civil Division of the Superior Court, setting forth therein in the petition that such the board proposes to take certain land, or rights therein in the land, and describing such the lands or rights, and the. The survey shall be annexed to said included in the petition and made a part thereof. Such The petition shall set forth the purposes for which such the land or rights are desired, and shall contain a request that such judge the court fix a time and place when he or she or some other Superior judge the court will hear all parties concerned and determine whether such the taking is necessary.~~

~~§ 3605 3607. HEARING TO DETERMINE NECESSITY~~

~~The judge to whom such the petition is presented shall fix the time for hearing, which shall not be more than 60 nor or less than 30 days from the date the judge signs such the order. Likewise, the judge shall fix the place for hearing, which shall be the county courthouse or any other convenient place within the county in which the land in question is located. If the Superior judge to whom such the petition is presented cannot hear the petition at the time set therefore for the hearing, the Superior judge shall call upon the Chief~~

1 ~~Superior Judge to shall assign another Superior judge to hear such the cause at~~
2 the time and place assigned in the order.

3 § 3606 ~~3608~~. SERVICE AND PUBLICATION OF PETITION

4 (a) A copy of the petition together with a copy of the court's order fixing
5 the time and place of hearing shall be published in a newspaper having general
6 circulation in the town in which the land included in the survey lies once a
7 week for three consecutive weeks on the same day of the week, ~~the~~. The last
8 publication to be not less than five days before the hearing date, ~~and a~~.

9 (b) A copy of the petition, together with a copy of the court's order fixing
10 the time and place of hearing, and a copy of the survey shall be placed on file
11 in the clerk's office of the town.

12 (c) The petition, together with the court's order fixing the time and place of
13 hearing, shall be served upon each person owning or having an interest in land
14 to be purchased or condemned like a summons, or, on absent defendants, in
15 ~~such~~ the manner as the Supreme Court may by rule provide for service of
16 process in civil actions. If the service on any defendant is impossible, upon
17 affidavit of the sheriff, deputy sheriff, or constable attempting service, ~~therein~~
18 stating that the location of the defendant within or ~~without~~ outside the State is
19 unknown and that ~~he or she~~ the defendant has no known agent or attorney in
20 ~~the State of Vermont upon which~~ whom service may be made, the publication

1 ~~herein provided required by this section shall be deemed sufficient service on~~
2 the defendant.

3 (d) Compliance with the provisions hereof of this section shall constitute
4 sufficient service upon and notice to any person owning or having any interest
5 in the land proposed to be taken or affected.

6 § ~~3607~~ 3609. HEARING AND ORDER OF NECESSITY

7 (a) At the time and place appointed for the hearing, the court shall hear all
8 persons interested and wishing to be heard. If any person owning or having an
9 interest in land to be taken or affected appears and objects to the necessity of
10 taking the land included within the survey or any part thereof of the survey,
11 then the court shall require the board to proceed with the introduction of
12 evidence of the necessity of ~~such~~ the taking.

13 (b) The burden of proof of the necessity of the taking shall be upon the
14 board.

15 (c) The court may cite in additional parties including other property owners
16 whose interests may be concerned or affected by any taking of land or interest
17 ~~therein~~ in land based on any ultimate order of the court.

18 (d) The court shall make findings of fact and file them. The court shall, by
19 its order, determine whether necessity requires the taking of ~~such~~ land and
20 rights and may modify or alter the proposed taking ~~in such respects as to it~~ he
21 ~~court may seem~~ deem proper.

1 ~~§ 3608 3610. APPEAL FROM ORDER OF NECESSITY~~

2 (a) If the State, municipal corporation, or any owner affected by the order
3 of the court is aggrieved ~~thereby~~ by the order, an appeal may be taken to the
4 Supreme Court in ~~such~~ the manner as the Supreme Court may by rule provide
5 for appeals from ~~the Civil Division of the Superior courts~~ Court.

6 (b) In the event an appeal is taken, all proceedings shall be stayed until
7 final disposition of the appeal. If no appeals are taken within the time
8 provided ~~therefor~~ or, if appeal is taken, upon its final disposition, a copy of the
9 order of the court shall be placed on file within 10 days in the office of the
10 clerk of each town in which the land affected lies, and ~~thereafter~~ for a period
11 of one year, the board may institute proceedings for the condemnation of the
12 land included in the survey as finally approved by the court without further
13 hearing or consideration of any question of the necessity of the taking.

14 § 3609 3611. COMPENSATION; CONDEMNATION

15 (a) When an owner of land or rights ~~therein~~ in land and the board are
16 unable to agree on the amount of compensation ~~therefor~~ or in case the owner is
17 an infant, a person who lacks capacity to protect ~~his or her~~ the person's
18 interests due to a mental condition or psychiatric disability, absent from the
19 State, unknown, or the owner of a contingent or uncertain interest, a Superior
20 judge may, on the application of either party, cause the notice to be given of
21 ~~the application as he or she~~ the judge may prescribe, and after proof thereof or

1 ~~the application, the judge may appoint three disinterested persons to examine~~
2 the property to be taken, or damaged by the municipal corporation.

3 (b) After being duly sworn, the commissioners shall, upon due notice to all
4 parties in interest, view the premises, hear the parties in respect to the property,
5 and shall assess and award to the owners and persons so interested just
6 damages for any injury sustained and make report in writing to the judge.

7 (c) In determining damages resulting from the taking or use of property
8 under the provisions of this chapter, the added value, if any, to the remaining
9 property or right ~~therein~~ in property that inures directly to the owner ~~thereof~~ as
10 a result of the taking or use as distinguished from the general public benefit,
11 shall be considered.

12 (d) The judge may ~~thereupon~~ accept the report, unless just cause is shown
13 to the contrary, and order the municipal corporation to pay the same in the
14 time and manner as the judge may prescribe, in full compensation for the
15 property taken, or the injury done by the municipal corporation, or the judge
16 may reject or recommit the report if the ends of justice so require. On
17 compliance with the order, the municipal corporation may proceed with the
18 construction of its work without liability for further claim for damages. In his
19 ~~or her~~ the judge's discretion, the judge may award costs in the proceeding.

20 Appeals from the order may be taken to the Supreme Court under 12 V.S.A.
21 ~~Chapter 102.~~

1 ~~§ 3610 3612. RECORD~~

2 ~~Within 60 days after the taking of any property, franchise, easement, or~~
3 ~~right under the provisions of this chapter, such the municipal corporation shall~~
4 ~~file a description thereof of the property in the office of the clerk wherein~~
5 ~~where the land records are required by law to be kept.~~

6 ~~§ 3611 3613. CONTRACT FOR SEWAGE DISPOSAL~~

7 ~~(a) Such A municipal corporation may contract with the State, the federal~~
8 ~~government, or any appropriate agency thereof of the State or federal~~
9 ~~government; any town, city, or village; any corporation; and any individuals~~
10 ~~to make disposal of sewage or storm water for such the other town, city,~~
11 ~~village, corporation, or individuals. Such The municipal corporation may~~
12 ~~make sale of sludge or fertilizer byproducts incident to sewage disposal, and~~
13 ~~the proceeds from the sale thereof shall be turned over to the treasury of such~~
14 ~~the sewage disposal district system and credited therein as is other income~~
15 ~~derived under the authority of this chapter.~~

16 * * *

17 ~~§ 3612 3614. CHARGES; ENFORCEMENT~~

18 ~~(a) The owner of any tenement, house, building, or lot shall be liable for~~
19 ~~the sewage disposal charge as hereinafter defined. Such sewage disposal~~
20 ~~charge A property owner or group of property owners using the sewage system~~
21 ~~shall be liable for the rent fixed by the board pursuant to this chapter. The~~

1 ~~charges, rates, or rents for the sewage system shall be a lien upon the real~~
2 estate furnished with such service in the same manner and to the same effect as
3 taxes are a lien upon real estate under 32 V.S.A. § 5061 and shall be an
4 assessment enforceable under the procedures in ~~subsections~~ subsection (b), (c),
5 or (d) of this section, or a combination of these procedures.

6 * * *

7 § ~~3613~~ 3615. TAXES, BONDS

8 For the purpose of adequately making disposal of sewage within its
9 boundaries; ~~;~~ successfully organizing, establishing, and operating its sewage
10 plant, sewage disposal plant, or some form of sewage treatment plant; ~~;~~ and
11 making such improvements as may be necessary, a municipal corporation may
12 from time to time:

13 (1) purchase, take, and hold real and personal estate;

14 (2) borrow money;

15 (3) levy, and collect taxes upon the ratable estate of the municipal
16 corporation necessary for the payment of municipal corporation sewage and
17 sewage disposal expenses and indebtedness;

18 (4) issue for the purposes hereof of this section evidences of
19 indebtedness pursuant to chapter 53, subchapter 2 of this title or its negotiable
20 bonds pursuant to chapter 53, subchapter 1 of this title; ~~;~~ provided, however,
21 ~~that bonds so issued.~~

1 ~~(1)(A) shall not be considered as indebtedness of such the municipal~~
2 corporation limited by the provisions of section 1762 of this title;

3 ~~(2)(B) may be paid in not more than 30 years from the date of issue~~
4 ~~notwithstanding the limitation of section 1759 of this title; and~~

5 ~~(3)(C) may be authorized by a majority of all the voters present and~~
6 ~~voting on the question at a meeting of such the municipal corporation held for~~
7 ~~the this purpose pursuant to chapter 53, subchapter 1 of this title~~
8 ~~notwithstanding any provisions of general or special law which that may~~
9 ~~require a greater vote, and may be so arranged that beginning with the first~~
10 ~~year in which principal is payable, the amount of principal and interest in any~~
11 ~~year shall be as nearly equal as is practicable according to the denomination in~~
12 ~~which such the bonds or other evidences of indebtedness are issued~~
13 ~~notwithstanding other permissible payment schedules authorized by section~~
14 ~~1759 of this title.~~

15 ~~§ 3614. BOARD OF SEWAGE DISPOSAL COMMISSIONERS~~

16 ~~The selectboard of a town, the trustees of a village, the prudential~~
17 ~~committee of a fire or lighting district, or the mayor and board of aldermen of~~
18 ~~a city, shall constitute a board of sewage disposal commissioners.~~

19 ~~§ 3615 3616. RENTS; RATES~~

20 ~~(a) Such A municipal corporation, through its board of sewage disposal~~
21 ~~commissioners, may establish rates, rents, or charges to be called sewage~~

1 disposal charges," to be paid at such times and in such manner as the
2 ~~com~~missioners board may prescribe. The ~~com~~missioners board may establish
3 annual charges separately for bond repayment, fixed operations and
4 maintenance costs (~~not dependent on actual use~~), and variable operations and
5 maintenance costs dependent on flow.

6 (b) Such ~~The rates, rents, or charges~~ may be based upon:

7 (1) the metered consumption of water on premises connected with the
8 sewer system, however, the ~~com~~missioners board may determine no user will
9 be billed for fixed operations and maintenance costs and bond payment less
10 than the average ~~single-family~~ single-family charge;

11 (2) the number of equivalent units connected with or served by the
12 sewage system based upon their estimated flows compared to the estimated
13 flows from a ~~single-family~~ single-family dwelling, however, the
14 ~~com~~missioners board may determine no user will be billed less than the
15 minimum charge determined for the ~~single-family~~ single-family dwelling
16 charge for fixed operations and maintenance costs and bond payment;

17 (3) the strength and flow where wastes stronger than household wastes
18 are involved;

19 (4) the appraised value of premises, in the event that the commissioners
20 shall determine the sewage disposal plant to be of general benefit to the
21 ~~municipality regardless of actual connection with the same,~~

1 ~~(5) the commissioners' determination developed using any other~~
2 equitable basis such as the number and kind of plumbing fixtures; the number
3 of persons residing on or frequenting the premises served by those sewers;
4 and the topography, size, type of use, or impervious area of any premises;

5 (6) for groundwater, surface, stormwater, or storm sewage, an
6 equivalent residential unit based on an average area of impervious surface on
7 residential property within the municipality; or

8 ~~(6)(7)~~ any combination of these bases, so long as provided the
9 combination is equitable.

10 (b) The basis for establishing ~~sewer disposal~~ rates, rents, or charges shall
11 be reviewed annually by ~~sewer disposal commissioners~~ the board. No
12 premises otherwise exempt from taxation, including premises owned by the
13 State of Vermont, shall, by virtue of any ~~such~~ the exemption, be exempt from
14 charges established ~~hereunder~~ under this section. The commissioners may
15 change the rates ~~of such, rents, or charges~~ from time to time as may be
16 reasonably required.

17 (c) Where one of the bases of ~~such~~ a rent, rate, or charge is the appraised
18 value and the premises to be appraised are tax exempt, the ~~commissioners~~
19 board may cause the listers to appraise ~~such~~ the property, including State
20 property, for the purpose of determining the ~~sewer disposal~~ the rates, rents, or
21 ~~charges~~. The right of appeal from such the appraisal shall be the same as

1 ~~provided in 32 V.S.A. chapter 131. The Commissioner of Finance and~~
2 Management is authorized to issue ~~his or her~~ warrants for sewage disposal
3 rates, rents, or charges against State property and transmit to the State
4 Treasurer who shall draw a voucher in payment ~~thereof~~ of the rates, rents, or
5 charges. No charge so established and no tax levied under the provisions of
6 section ~~3613~~ 3615 of this title shall be considered to be a part of any tax
7 authorized to be assessed by the legislative body of any municipality for
8 general purposes, but shall be in addition to any such tax so authorized to be
9 assessed.

10 (d) ~~Sewage disposal~~ Rates, rents, or charges established in accord with this
11 section may be assessed by the board ~~of sewage disposal commissioners~~ as
12 ~~provided in section 3614~~ of this title to derive the revenue required to pay
13 pollution charges assessed against a municipal corporation under 10 V.S.A.
14 § 1265.

15 (e)(e) When a ~~sewage disposal~~ rate, rent, or charge established under this
16 section for the management of stormwater is applied to property owned,
17 controlled, or managed by the Agency of Transportation, the charge shall not
18 exceed the highest rate category applicable to other properties in the
19 municipality, and the Agency of Transportation shall receive a 35 percent
20 credit on the charge. The Agency of Transportation shall receive no other
21 ~~credit on the charge from the municipal corporation.~~

1 ~~§ 3616 3617. DUTIES; USE OF PROCEEDS~~

2 ~~(a) Such sewage disposal commissioners~~ The board shall have the
3 supervision of such the municipal sewage disposal department system, and
4 shall make and establish all needful rates for charges, rules, and regulations for
5 its control and operation including the right to require any individual, person,
6 or corporation to connect to such the municipal system for the purposes of
7 abating pollution of the waters of the State. ~~Such commissioners may appoint~~
8 ~~or remove a superintendent at their pleasure.~~ The charges and receipts of such
9 department shall only be used and applied to pay the interest and principal of
10 the sewage disposal bonds of such municipal corporation as well as, the
11 expense of maintenance and operation of the sewage disposal department
12 system, or other expenses of the sewage system.

13 ~~(b) These~~ The charges and receipts also may be used to develop a dedicated
14 fund that may be created by the ~~commissioners~~ board to finance major
15 rehabilitation, major maintenance, and upgrade costs for the sewer system.
16 This fund may be established by an annual set-aside of up to 15 percent of the
17 normal operations, maintenance, and bond payment costs, except that with
18 respect to subsurface leachfield systems, the annual set-aside may equal up to
19 100 percent of these costs. The fund shall not exceed the estimated future
20 major rehabilitation, major maintenance, or upgrade costs for the sewer
21 system. Any dedicated fund shall be insured at least to the level provided by

1 ~~EDIC and withdrawals shall be made only for the purposes for which the fund~~
2 was established. Any such dedicated fund may be established and controlled
3 in accord with section 2804 of this title or may be established by act of the
4 legislative body of the municipality. Funds so established shall meet the
5 requirements of subdivision 4756(a)(4) of this title.

6 (c) Where the municipal legislative body establishes ~~such~~ a dedicated fund
7 pursuant to this section, it shall first adopt a municipal ordinance authorizing
8 and controlling ~~such~~ the funds. ~~Such~~ The ordinance and any local policies
9 governing the funds must conform to the requirements of this section.

10 § ~~3617~~ 3618. ORDINANCES

11 ~~Such~~ The municipal corporation shall have the power to make, establish,
12 alter, amend, or repeal ordinances, regulations, and bylaws relating to the
13 matters contained in this chapter, consistent with law, and to impose penalties
14 for the breach thereof, of an ordinance and enforce ~~the same~~ those penalties.

15 § 3619. SEWERS AND PLUMBING; ORDERS

16 The board may require the owners of buildings, subdivisions, or
17 developments abutting on a public street or highway to have all sewers from
18 those buildings, subdivisions, or developments connected to the municipal
19 corporation's sewage system.

1 ~~§ 3618 3620 MEETINGS; VOTE~~

2 Any action taken by ~~such a~~ municipal corporation under the provisions of
3 this chapter or relating to the matters ~~therein set forth~~ contained in this chapter,
4 may be taken by vote of the legislative body of ~~such~~ the municipal
5 corporation, excepting the issuance of bonds and, in municipalities wherein
6 ~~such~~ the legislative body is not otherwise given the power to levy taxes, the
7 levying of a tax under ~~section 3613~~ 3615 of this title; provided, however, that
8 no action shall be taken hereunder unless the construction of a sewage disposal
9 plant shall have first been authorized by majority vote of the legal voters of
10 ~~such~~ the municipal corporation attending a meeting ~~duly warned and holden~~
11 warned for that purpose.

12 * * *

13 Sec. 8. REPEAL

14 24 V.S.A. chapter 97 (sewage system) is repealed.

15 Sec. 9. GRANTS FOR MUNICIPAL STORMWATER UTILITIES;

16 APPROPRIATION

17 (a) Groups of cooperating municipalities may jointly apply to the Agency
18 of Natural Resources for a grant of up to \$100,000.00 to support the
19 municipalities' stormwater utility operations. The grant may be used for
20 technical assistance from private consultants or a governmental agency to
21 establish the governance and structure of the utilities, including assistance with

1 ~~retrofitting that is based on an equivalent residential unit specific to each~~
2 member town. The Agency shall provide grants to not more than four groups
3 of cooperating municipalities.

4 (b) The sum of \$400,000.00 is appropriated to the Agency of Natural
5 Resources in fiscal year 2025 for the purpose of administering the grants
6 established pursuant to this section.

7 * * * Creation of the Urban Search and Rescue Team * * *

8 Sec. 10. 20 V.S.A. § 48 is added to read:

9 § 48. URBAN SEARCH AND RESCUE TEAM

10 (a) The Department of Public Safety is authorized to create the Urban
11 Search and Rescue (USAR) Team to provide for the rapid response of trained
12 professionals to emergencies and other hazards occurring in the State. The
13 Commissioner shall appoint a USAR Team chief to carry out the duties and
14 responsibilities of the USAR Team.

15 (b) The USAR Team Chief shall perform all the following duties:

16 (1) organize the State USAR Team to assist local emergency planning
17 committees, fire chiefs, and other emergency management officials in response
18 to emergencies and other hazards;

19 (2) hire persons for the USAR Team from fire, police, and emergency
20 organizations and persons with specialty backgrounds in emergency response
21 or search and rescue,

1 ~~(3) negotiate with municipalities that maintain emergency response~~
2 teams to secure appropriate facilities and personnel to house and maintain the
3 USAR Team's vehicles and equipment and to provide drivers for USAR Team
4 response vehicles;

5 (4) coordinate the acquisition and maintenance of adequate vehicles and
6 equipment for the USAR Team;

7 (5) ensure that USAR Team personnel are organized, trained, and
8 exercised in accordance with the appropriate search and rescue standards or
9 certifications;

10 (6) ensure that appropriate regional mutual aid agreements are created
11 so that emergency management or search and rescue teams within the region
12 may participate with the USAR Team;

13 (7) negotiate and enter into agreements with municipalities, municipal
14 agencies that maintain swiftwater rescue teams, State-recognized swiftwater
15 rescue teams, or other technical rescue teams to provide expert assistance and
16 services to the USAR Team when necessary; and

17 (8) coordinate USAR Team participation in search and rescue operations
18 under chapter 112 of this title.

19 (c) The State shall reimburse a municipality for the actual costs expended
20 to cover the duties of a municipal employee who is an employee of the USAR

1 ~~Team and who is requested to leave employment at the municipality to respond~~
2 to an emergency or other hazard or attend USAR Team training.

3 (d) The Department of Public Safety may employ as many USAR Team
4 responders as the Commissioner deems necessary as temporary State
5 employees, who shall be compensated as such when authorized to respond to
6 an emergency or hazard incident or to attend USAR Team training. State
7 USAR Team responders, whenever acting as State agents in accordance with
8 this section, shall be afforded all of the protections and immunities of State
9 employees.

10 * * * Vermont-211 Information Privacy * * *

11 Sec. 11. PUBLIC RECORDS ACT; VERMONT 211; CONFIDENTIALITY

12 Pursuant to Vermont's Public Records Act, personal information and lists of
13 names within records created or acquired by Vermont 211 shall be exempt
14 from public inspection or copying. Vermont 211 shall keep confidential any
15 personal information acquired from victims of a natural disaster or all-hazard,
16 as defined by 20 V.S.A. § 2. This section shall not be construed to prevent the
17 limited disclosure of personal information for the purposes of coordinating
18 relief work for individuals affected by a natural disaster or all-hazard.

1 *** Reverse E-911 Policy ***

2 Sec. 12. REVERSE E-911 POLICY DURING EMERGENCY

3 The Department of Public Safety's Division of Vermont Emergency
4 Management (VEM), in consultation with the Enhanced 911 Board, shall
5 develop a policy for the use of the E-911 system to provide VT-Alerts more
6 effectively and expeditiously during emergencies in order to reduce the risk of
7 harm to persons and property. The Board shall issue its policy on or before
8 July 1, 2025.

9 Sec. 13. 30 V.S.A. § 7055 is amended to read:

10 § 7055. TELECOMMUNICATIONS COMPANY COORDINATION

11 (a) Every telecommunications company under the jurisdiction of the Public
12 Utility Commission offering access to the public network shall make available,
13 in accordance with rules adopted by the Public Utility Commission, the
14 universal emergency telephone number 911 and Voice over Internet Protocol
15 (VoIP) subscriber information for use by the public in seeking assistance from
16 fire, police, medical, and other emergency service providers through a public
17 safety answering point.

18 * * *

19 (f) Every telecommunications company under the jurisdiction of the Public
20 Utility Commission shall, in accordance with rules adopted by the Public
21 Utility Commission, notify its customers of planned or unplanned outages that

1 ~~impact customers' ability to complete a call, or communicate with 911, or that~~
2 prevent subscribers from receiving emergency notifications.

3 * * * Best Management Practices for Rebuilding after Emergency * * *

4 Sec. 14. VERMONT EMERGENCY MANAGEMENT DIVISION

5 DISASTER PREPAREDNESS REVIEW, BEST MANAGEMENT
6 PRACTICES, AND REPORT

7 (a) Review. On or before June 30, 2024, the Department of Public Safety's
8 Division of Vermont Emergency Management (VEM) shall conduct a review
9 of the State's disaster preparedness leading up to, during, and after the 2023
10 summer flooding events throughout the State, overseen by the Director of
11 VEM. The disaster preparedness review shall examine the adequacy of:

12 (1) early warning and evacuation orders;

13 (2) designated evacuation routes and emergency shelters;

14 (3) the present system of local emergency management directors in
15 wide-spread emergencies; and

16 (4) the State's present emergency communications systems.

17 (b)(1) VEM shall publish best management practices for rebuilding or
18 repairing structures after damage from a flood or other hazard. The best
19 management practices shall address:

20 ~~(A) how to rebuild or repair to provide for flood resiliency,~~

1 ~~(B) how to avoid reconstruction or repair that increased flood risk or~~
2 ~~risk to property; and~~

3 ~~(C) where and how to replace or repair utility infrastructure to~~
4 ~~mitigate risk of harm to the infrastructure or to allow for shutdown or closure~~
5 ~~of a utility line in order to prevent further hazard from a utility line during an~~
6 ~~emergency.~~

7 ~~(2) VEM shall publish the best management practices required by this~~
8 ~~section on or before July 1, 2025.~~

9 ~~(c) Report. On or before December 15, 2025, the Director of VEM shall~~
10 ~~submit a written report to the House Committee on Government Operations~~
11 ~~and Military Affairs and the Senate Committee on Government Operations~~
12 ~~with its findings regarding the disaster preparedness review, its best~~
13 ~~management practices required by this section, and, if the Director determines~~
14 ~~there to be inadequacies present in the State's disaster preparedness, a plan for~~
15 ~~improving the State's disaster preparedness, which may include any~~
16 ~~recommendations for legislative action.~~

17 * * * Shelter Identification; Funding Shelter Operation * * *

18 Sec. 15. VERMONT EMERGENCY MANAGEMENT; SHELTER

19 IDENTIFICATION

20 (a) The Division of Vermont Emergency Management (VEM) at the
21 Department of Public Safety shall amend the Local Emergency Plan Template

1 ~~and any best management practices or guidance the Division issues to~~
2 municipalities to address the need for the siting of municipal emergency
3 shelters in a manner that allows access by those in need during an emergency
4 or hazard.

5 (b) VEM shall advise municipalities that when a shelter is sited under a
6 local emergency plan, the municipality should assess whether the physical
7 location or characteristics of the surrounding area during an emergency or
8 hazard could prevent access. Guidance to municipalities shall include not
9 siting a shelter in proximity to a river or body of water subject to flooding and
10 siting a shelter in a manner that is accessible by multiple routes so that
11 individual road closures do not prohibit access.

12 (c) On or before January 15, 2025, VEM shall submit a proposal to the
13 General Assembly on how the State shall fund the operation of municipal
14 emergency shelters during a declared emergency. The proposal shall address
15 funding for staff, supplies, utilities, and other expenses that municipalities
16 currently fund when the State declares an emergency.

17 * * * Interpretation Services for State Emergency Communications * * *

18 Sec. 16. 20 V.S.A. § 4 is added to read:

19 § 4. INTERPRETATION SERVICES FOR STATE EMERGENCY

20 COMMUNICATIONS

1 ~~(a) If an all-hazards event occurs, the Vermont Emergency Management~~
2 Division shall provide interpretation services for all State communications
3 regarding the all-hazards event, including press conferences from the
4 Governor's office. Interpretation services shall be provided for:

5 (1) individuals who are Deaf, Hard of Hearing, or DeafBlind, including
6 the provision of Communication Access Realtime Translation (CART) and the
7 Picture in Picture (PIP) techniques; and

8 (2) individuals with limited English proficiency.

9 (b) As used in this section, an "individual with limited English
10 proficiency" means a person who does not speak English as the person's
11 primary language and who has a limited ability to read, write, speak, or
12 understand English.

13 (c) The director of the Vermont Emergency Management Division shall
14 designate an individual in the Division to ensure that emergency
15 communications are being effectively delivered to individuals who are Deaf,
16 Hard of Hearing, or DeafBlind. The designated individual shall coordinate
17 with the Executive Director of the Office of Racial Equity on matters of
18 providing interpretation services emergency communications to individuals
19 with limited English proficiency.

20 (d) Within three months following an all-hazards event or on an annual
21 basis, whichever occurs first, the Vermont Emergency Management Division

1 ~~shall hold a public meeting with certain members of Vermont Deaf, Hard of~~
2 Hearing, and Deafblind Advisory Council to be determined by the Council to
3 review the adequacy and efficacy of Division's provision of emergency
4 communications to individuals who are Deaf, Hard of Hearing, or DeafBlind.

5 * * * Creation of Chief Climate Resilience Officer * * *

6 Sec. 17. ESTABLISHMENT OF CHIEF CLIMATE RESILIENCE OFFICER

7 POSITION; APPROPRIATION

8 (a) The position of one new, permanent, full-time, exempt Chief Climate
9 Resilience Officer is created in the Vermont Department of Public Safety.

10 (b) The sum of \$90,000.00 is appropriated from the General Fund to the
11 Department of Public Safety in fiscal year 2025 for the purpose of establishing
12 the position of Chief Climate Resilience Officer.

13 * * * Postsecondary Disaster Management Programs * * *

14 Sec. 18. POSTSECONDARY DISASTER MANAGEMENT PROGRAM

15 REPORT

16 On or before December 15, 2025, the President or designee for the Vermont
17 State University and the President or designee for the University of Vermont
18 shall each submit a written report to the House Committee on Government
19 Operations and Military Affairs and the Senate Committee on Government
20 Operations examining the creation of postsecondary disaster management

1 ~~programs, including the associated costs, projected enrollments, and aspects of~~
2 curricula.

3 * * * Effective Date * * *

4 Sec. 19. EFFECTIVE DATE

5 ~~This act shall take effect on passage.~~

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

Sec. 1. 20 V.S.A. § 48 is added to read:

§ 48. COMMUNITY RESILIENCE AND DISASTER MITIGATION
GRANT PROGRAM

(a) Program established. There is established the Community Resilience
and Disaster Mitigation Grant Program to award grants to covered
municipalities to provide support for disaster mitigation, adaptation, or repair
activities.

(b) Definition. As used in this section, “covered municipality” means a
city, town, fire district or incorporated village, and all other governmental
incorporated units that participate in the National Flood Insurance Program
in accordance with 42 U.S.C. Chapter 50.

(c) Administration; implementation.

(1) Grant awards. The Department of Public Safety, in coordination
with the Department of Environmental Conservation, shall administer the
Program, which shall award grants for the following:

(A) technical assistance for natural disaster mitigation, adaptation,
or repair to municipalities;

(B) technical assistance for the improvement of municipal
stormwater systems and other municipal infrastructure;

(C) projects that implement disaster mitigation measures, adaptation,
or repair, including watershed restoration and similar activities that directly
reduce risks to communities, lives, public collections of historic value, and
property; and

(D) projects to adopt and meet the State’s model flood hazard
bylaws.

(2) Grant Program design. The Department of Public Safety, in coordination with the Department of Environmental Conservation, shall design the Program. The Program design shall:

(A) establish an equitable system for distributing grants statewide on the basis of need according to a system of priorities, including the following, ranked in priority order:

(i) projects that meet the standards established by the Department of Environmental Conservation's Stream Alteration Rule and Flood Hazard Area and River Corridor Rule.

(ii) projects that use funding as a match for other grants, including grants from the Federal Emergency Management Agency (FEMA);

(iii) projects that are in hazard mitigation plans; and

(iv) projects that are geographically located around the State, but with a priority for projects in communities identified as high on the municipal vulnerability index, as determined by the Vermont Climate Council;

(B) establish guidelines for disaster mitigation measures and costs that will be eligible for grant funding; and

(C) establish eligibility criteria for covered municipalities, but allow municipalities to partner with community organizations to apply for grants and implement projects awarded funding by those grants.

Sec. 2. 20 V.S.A. § 49 is added to read:

§ 49. COMMUNITY RESILIENCE AND DISASTER MITIGATION
FUND

(a) Creation. There is established the Community Resilience and Disaster Mitigation Fund to provide funding to the Community Resilience and Disaster Mitigation Grant Program established in section 48 of this title. The Fund shall be administered by the Department of Public Safety.

(b) Monies in the Fund. The Fund shall consist of monies appropriated or transferred to the Fund.

(c) Fund administration.

(1) The Commissioner of Finance and Management may anticipate receipts to this Fund and issue warrants based thereon.

(2) The Commissioner of Public Safety shall maintain accurate and complete records of all receipts by and expenditures from the Fund.

(3) All balances remaining at the end of a fiscal year shall be carried over to the following year.

(d) Reports. On or before January 15 each year, the Commissioner of Public Safety shall submit a report to the House Committees on Environment and Energy and House Government Operations and Military Affairs and the Senate Committees on Government Operations and Natural Resources and Energy with an update on the expenditures from the Fund. For each fiscal year, the report shall include a summary of each project receiving funding. The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply to the report to be made under this subsection.

~~Sec. 2. COMMUNITY RESILIENCE AND DISASTER MITIGATION
GRANT PROGRAM; APPROPRIATION~~

~~In fiscal year 2025, the amount of \$15,000,000.00 in general funds shall be appropriated to the Community Resilience and Disaster Mitigation Fund established in 20 V.S.A. § 40.~~

Sec. 3. [Deleted.]

Sec. 4. 32 V.S.A. § 8557 is amended to read:

§ 8557. VERMONT FIRE SERVICE TRAINING COUNCIL

(a)(1) Sums for the expenses of the operation of training facilities and curriculum of the Vermont Fire Service Training Council not to exceed ~~\$1,200,000.00~~ \$1,350,000.00 per year shall be paid to the Fire Safety Special Fund created by 20 V.S.A. § 3157 by insurance companies, writing fire, homeowners multiple peril, allied lines, farm owners multiple peril, commercial multiple peril (fire and allied lines), private passenger and commercial auto, and inland marine policies on property and persons situated within the State of Vermont within 30 days after notice from the Commissioner of Financial Regulation of such estimated expenses. Captive companies shall be excluded from the effect of this section.

* * *

(4) An amount not less than ~~\$150,000.00~~ \$300,000.00 shall be specifically allocated to the Emergency Medical Services Special Fund established under 18 V.S.A. § 908 for the provision of training programs for certified Vermont EMS first responders and licensed emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics.

* * *

* * * Benefits for Survivors of Public Works Personnel * * *

Sec. 5. 20 V.S.A. § 2 is amended to read:

§ 2. DEFINITIONS

As used in this chapter:

* * *

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

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

(A) emergency management and public safety personnel;

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

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

(D) public safety telecommunications and dispatch personnel;

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

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

(G) public health personnel;

(H) public works personnel, including water, wastewater, and stormwater personnel; and

(I) equipment operators and other skilled personnel, who provide services necessary to enable the performance of emergency management functions.

(8) *“Hazard mitigation” means any action taken to reduce or eliminate the threat to persons or property from all-hazards.*

~~(8)~~(9) *“Hazardous chemical or substance” means:*

* * *

~~(9)~~(10) *“Hazardous chemical or substance incident” means any mishap or occurrence involving hazardous chemicals or substances that may pose a threat to persons or property.*

~~(H)~~(11) “Homeland security” means the preparation for and carrying out of all emergency functions, other than the functions for which the U.S. Armed Forces or other federal agencies are primarily responsible, to prevent, minimize, or repair injury and damage resulting from or caused by enemy attack, sabotage, or other hostile action.

~~(H)~~(12) “Radiological incident” means any mishap or occurrence involving radiological activity that may pose a threat to persons or property.

Sec. 6. 20 V.S.A. chapter 181 is amended to read:

CHAPTER 181. BENEFITS FOR THE SURVIVORS OF EMERGENCY AND
PUBLIC WORKS PERSONNEL

§ 3171. DEFINITIONS

As used in this chapter:

(1) “Board” means the Emergency and Public Works Personnel Survivors Benefit Review Board.

(2) “Child” means a natural or legally adopted child, regardless of age.

(3) “Domestic partner” means an individual with whom the employee has an enduring domestic relationship of a spousal nature, provided the employee and the domestic partner:

(A) have shared a residence for at least six consecutive months;

(B) are at least 18 years of age;

(C) are not married to or considered a domestic partner of another individual;

(D) are not related by blood closer than would bar marriage under State law; and

(E) have agreed between themselves to be responsible for each other’s welfare.

(4) “Emergency personnel” means:

(A) firefighters as defined in subdivision 3151(3) of this title; and

(B) emergency medical personnel and volunteer personnel as defined in 24 V.S.A. § 2651.

~~(4)~~(5) “Line of duty” means:

(A) for emergency personnel:

(i) answering or returning from a call of the department for a fire or emergency or training drill; or

~~(B)(ii)~~ *similar service in another town or district to which the department has been called for firefighting or emergency purposes; and*

~~(B)~~ *for public works personnel, work performed:*

~~(i)~~ *in a hazardous location;*

~~(ii)~~ *as part of an emergency response to an all-hazards event, as that term is defined in section 2 of this title; or*

~~(iii)~~ *in conjunction with emergency personnel in a construction zone, highway traffic area, or other location in which the public works personnel is exposed to risk of injury or fatality from construction hazards, highway traffic volume and speed, nighttime response, environmental factors, weather, or other hazardous conditions.*

~~(5)(6)~~ *“Occupation-related illness” means a disease that directly arises out of, and in the course of, service, including a heart injury or disease symptomatic within 72 hours from the date of last service in the line of duty, which shall be presumed to be incurred in the line of duty.*

~~(6)(7)~~ *“Parent” means a natural or adoptive parent.*

~~(8)~~ *“Public works personnel” includes water, wastewater, and stormwater personnel.*

~~(9)~~ *“Spouse” includes a domestic partner or civil union partner.*

~~(7)(10)~~ *“Survivor” means a spouse, child, or parent of emergency personnel or public works personnel who have died in the line of duty.*

§ 3172. EMERGENCY AND PUBLIC WORKS PERSONNEL SURVIVORS
BENEFIT REVIEW BOARD

~~(a)~~ *There is created the Emergency and Public Works Personnel Survivors Benefit Review Board, which shall consist of the State Treasurer or designee, the Attorney General or designee, the Chief Fire Service Training Officer of the Vermont Fire Service Training Council or designee, and ~~one member~~ two members of the public, one to represent the interests of emergency personnel and one to represent the interests of public works personnel, who shall be appointed by the Governor for a term of two years. Survivors of emergency personnel or public works personnel, employed by or who volunteer for the State of Vermont, a county or municipality of the State, or a nonprofit entity that provides services in the State, who die in the line of duty or of an occupation-related illness may request the Board award a monetary benefit under section 3173 of this title. The Board shall be responsible for determining whether to award monetary benefits under section 3173. A decision to award monetary benefits shall be made by unanimous vote of the*

Board and shall be made within 60 days after the receipt of all information necessary to enable the Board to determine eligibility. The Board may request any information necessary for the exercise of its duties under this section. Nothing in this section shall prevent the Board from initiating the investigation or determination of a claim before being requested by a survivor or employer of emergency personnel.

** * **

(c) If the Board decides to award a monetary benefit, the benefit shall be paid to the surviving spouse or, if the emergency personnel or public works personnel had no spouse at the time of death, to the surviving child, or equally among surviving children. If the deceased emergency personnel or public works personnel is not survived by a spouse or child, the benefit shall be paid to a surviving parent, or equally between surviving parents. If the deceased emergency personnel or public works personnel is not survived by a spouse, children, or parents, the Board shall not award a monetary benefit under this chapter.

** * **

(f) The Each member of the public appointed by the Governor shall be entitled to per diem compensation authorized under 32 V.S.A. § 1010 for each day spent in the performance of ~~his or her~~ the member's duties.

§ 3173. MONETARY BENEFIT

(a) The survivors of emergency personnel or public works personnel who ~~dies~~ die while in the line of duty or from an occupation-related illness may apply for a payment of \$50,000.00 ~~up to~~ \$80,000.00 from the State.

** * **

§ 3175. EMERGENCY AND PUBLIC WORKS PERSONNEL SURVIVORS BENEFIT SPECIAL FUND

(a) The Emergency and Public Works Personnel Survivors Benefit Special Fund is established in the Office of the State Treasurer for the purpose of the payment of claims distributed pursuant to this chapter. The Fund shall comprise appropriations made by the General Assembly, amounts transferred by the Emergency Board when the General Assembly is not in session, and contributions or donations from any other source. All balances in the Fund at the end of the fiscal year shall be carried forward. Interest earned shall remain in the Fund.

(b) In the event that the balance of the Fund is insufficient to pay monetary benefits awarded by the Board when the General Assembly is not in session, the Emergency Board may, pursuant to its authority under 32 V.S.A. § 133,

transfer into the Fund additional amounts necessary to pay the monetary benefits.

* * *

* * * *Emergency Management* * * *

Sec. 7. 20 V.S.A. § 6 is amended to read:

§ 6. LOCAL AND REGIONAL ORGANIZATION FOR EMERGENCY MANAGEMENT

(a) Each town and city of this State is hereby authorized and directed to shall establish a local organization for emergency management in accordance with the State emergency management plan and program. The executive officer or legislative branch of the town or city is authorized to shall appoint a town or city emergency management director who shall have direct responsibility for the organization, administration, and coordination of the local organization for emergency management, subject to the direction and control of the executive officer or legislative branch. If the town or city that has not adopted the town manager form of government in accordance with 24 V.S.A. chapter 37 and the executive officer or legislative branch of the town or city has not appointed an emergency management director, the executive officer or legislative branch shall be the appoint a town or city emergency management director. The town or city emergency management director may appoint an emergency management coordinator and other staff as necessary to accomplish the purposes of this chapter. In an instance of a vacancy of the position of a town or city emergency management director, the executive officer or the chair or president of the legislative branch shall be the emergency management director.

(b) Each local organization for emergency management shall perform emergency management functions within the territorial limits of the town or city within which it is organized and, in which may include coordinating the utilization of first responders and other emergency management personnel pursuant to the all-hazards emergency management plan adopted pursuant to subsection (c) of this section. In addition, each local organization for emergency management shall conduct such functions outside the territorial limits as may be required pursuant to the provisions of this chapter and in accord with rules adopted by the Governor.

(c)(1) Each local organization shall develop and maintain an all-hazards emergency management plan in accordance with the State Emergency Management Plan and guidance set forth by the Division of Emergency Management.

(2) The Division shall amend the local emergency plan template and

any best management practices or guidance the Division issues to municipalities to address the need for the siting of local and regional emergency shelters in a manner that allows access by those in need during an all-hazards event.

(3) The Division shall advise municipalities that when a shelter is sited under a local emergency plan, the municipality should work with the Agency of Human Services and the American Red Cross to assess the facility, including the characteristics of the surrounding area during an all-hazards event and multiple routes of travel and possible hazards that could prevent access to the shelter.

(4) The Division, in coordination with the Agency of Human Services, shall advise municipalities, upon completion of a local emergency management plan, on how to conduct training and exercises pertaining to sheltering.

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

* * *

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

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

(B) Nonvoting members. Nonvoting members may include representatives from the following organizations serving within the region: fire departments, emergency medical services, law enforcement, other entities providing emergency response personnel, media, transportation, regional planning commissions, hospitals, the Department of Health's district office, the Division of Emergency Management, organizations serving vulnerable populations, local libraries, arts and culture organizations, regional development corporations, local business organizations, and any other interested public or private individual or organization.

* * *

Sec. 8. 20 V.S.A. § 31 is amended to read:

§ 31. STATE EMERGENCY RESPONSE COMMISSION; DUTIES

(a) The Commission shall have authority to:

* * *

(7) Ensure that ~~a State plan~~ the State Emergency Management Plan will go into effect when an accident occurs involving the transportation of hazardous materials. The ~~plan~~ Plan shall be exercised at least once annually and shall be coordinated with local and State emergency plans.

* * *

Sec. 9. 20 V.S.A. § 32 is amended to read:

*§ 32. LOCAL EMERGENCY PLANNING COMMITTEES; CREATION;
DUTIES*

(a) One or more local emergency planning committees, created under EPCRA, shall be appointed by the State Emergency Response Commission. "EPCRA" means the federal Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. §§ 11001–11050.

(b) All local emergency planning committees shall include representatives from the following: fire departments; local and regional emergency medical services; local, county, and State law enforcement; other entities providing first responders or emergency management personnel; media; transportation; regional planning commissions; hospitals; industry; the Vermont National Guard; the Department of Health's district office; and an animal rescue organization, and may include any other interested public or private individual or organization. Where the local emergency planning committee represents more than one region of the State, the Commission shall appoint representatives that are geographically diverse.

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

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

(A) Identifies facilities and transportation routes of extremely hazardous substances.

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

(C) Designates a local emergency planning committee coordinator

and facility coordinators to implement the plan.

(D) Outlines emergency notification procedures.

(E) Describes how to determine the probable affected area and population by releases of hazardous substances.

(F) Describes local emergency equipment and facilities and the persons responsible for them.

(G) Outlines evacuation plans.

(H) Provides for coordinated local training to ensure integration with the State emergency management plan.

(I) Provides methods and schedules for exercising emergency plans.

(2) Upon receipt by the committee or the committee's designated community emergency coordinator of a notification of a release of a hazardous chemical or substance, ensure that the local emergency plan has been implemented.

(3) Consult and coordinate with the heads of local government emergency services, the emergency management director or designee, persons in charge of local first responders and other local emergency management personnel, regional planning commissions, and the managers of all facilities within the jurisdiction regarding the facility plan.

(4) Review and evaluate requests for funding and other resources and advise the State Emergency Response Commission concerning disbursement of funds.

(5) Work to support the various emergency services and other entities providing first responders or emergency management personnel, mutual aid systems, town governments, regional planning commissions, State agency district offices, and others in their area in conducting coordinated all-hazards emergency management activities.

Sec. 10. 20 V.S.A. § 41 is added to read.

§ 41. STATE EMERGENCY MANAGEMENT PLAN.

The Department of Public Safety's Vermont Emergency Management Division shall create, and republish as needed, but not less than every five years, a comprehensive State Emergency Management Plan. The Plan shall detail response systems during all-hazards events, including communications, coordination among State, local, private, and volunteer entities, and the deployment of State and federal resources. The Plan shall also detail the State's emergency preparedness measures and goals, including those for the

prevention of, protection against, mitigation of, and recovery from all-hazards events. The Plan shall include templates and guidance for local emergency plans that support municipalities in their respective emergency management planning.

*Sec. 11. VERMONT EMERGENCY MANAGEMENT DIVISION
DISASTER PREPAREDNESS REVIEW*

(a) Review. On or before June 30, ~~2024~~ 2025, the Department of Public Safety's Division of Vermont Emergency Management (VEM) shall conduct an after-action review of the State's disaster preparedness leading up to, during, and after the 2023 summer flooding events throughout the State, overseen by the Director of VEM. The review shall examine all aspects of the State's response and shall include input from the whole community. In addition to the federal Homeland Security Exercise and Evaluation Program's requirements, the review shall 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 wide-spread emergencies and the State's present emergency communications systems.

(b) Report. On or before December 15, 2025, the Director of VEM shall submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with its findings regarding the disaster preparedness review, and, if the Director determines there to be inadequacies present in the State's disaster preparedness, a plan for improving the State's disaster preparedness, which may include any recommendations for legislative action.

~~Sec. 12. ESTABLISHMENT OF FIVE AND A HALF NEW REGIONAL
EMERGENCY MANAGEMENT PROGRAM COORDINATORS;
APPROPRIATION~~

~~(a) Five new permanent full-time positions are created in the Department of Public Safety's Emergency Management Division for emergency management coordination.~~

~~(b) One new permanent part-time position is created in the Department of Public Safety's Emergency Management Division for emergency management coordination.~~

~~(c) The sum of \$550,000.00 is appropriated from the General Fund to the Department of Public Safety in fiscal year 2025 for the purpose of funding five and a half new Regional Emergency Management Program Coordinators.~~

Sec. 12. [Deleted.]

* * * Municipal Stormwater Utilities * * *

Sec. 13. 24 V.S.A. chapter 101 is amended to read:

*CHAPTER 101. SEWAGE, SEWAGE DISPOSAL SYSTEM, AND
STORMWATER SYSTEMS*

§ 3601. DEFINITIONS

The definitions established in section 3501 of this title shall establish the meanings of those words as used in this chapter, and the following words and phrases as used in As used in this chapter shall have the following meanings:

(1) “Necessity” means a reasonable need that considers the greatest public good and the least inconvenience and expense to the condemning party and to the property owner. Necessity shall not be measured merely by expense or convenience to the condemning party. Due consideration shall be given to the adequacy of other property and locations; to the quantity, kind, and extent of property that may be taken or rendered unfit for use by the proposed taking; to the probable term of unfitness for use of the property; to the effect of construction upon scenic and recreational values, upon home and homestead rights and the convenience of the owner of the land; to the effect upon town grand list and revenues.

(2) “Board” means the board of sewage disposal system commissioners.

(2) “Domestic sewage” or “house sewage” means sanitary sewage derived principally from dwellings, business buildings, and institutions.

(3) “Industrial wastes” or “trade wastes” means liquid wastes from industrial processes, including suspended solids.

(4) “Necessity” means a reasonable need that considers the greatest public good and the least inconvenience and expense to the condemning party and to the property owner. Necessity shall not be measured merely by expense or convenience to the condemning party. Due consideration shall be given to the adequacy of other property and locations; to the quantity, kind, and extent of property that may be taken or rendered unfit for use by the proposed taking; to the probable term of unfitness for use of the property; to the effect of construction upon scenic and recreational values, upon home and homestead rights and the convenience of the owner of the land; to the effect upon town grand list and revenues.

(5) “Sanitary sewage” means used water supply commonly containing human excrement.

(6) “Sanitary treatment” means an approved method of treatment of solids and bacteria in sewage before final discharge.

(7) “Sewage” means the used water supply of a community, including

such used water supply or stormwater as may or may not be mixed with these liquid wastes from the community.

(8) "Sewage system" means any equipment, stormwater control system, pipe line system, and facilities as are needed for and appurtenant to the treatment or disposal of sewage and waters, including a sewage treatment or disposal plant and separate pipe lines and structural or nonstructural facilities as are needed for and appurtenant to the treatment or disposal of storm, surface, and subsurface waters.

(9) The phrase "sewage treatment or disposal plant" shall include includes, for the purposes of this chapter, any plant, equipment, system, and facilities, whether structural or nonstructural, as are necessary for and appurtenant to the treatment or disposal by approved sanitary methods of domestic sewage, garbage, industrial wastes, stormwater, or surface water.

(10) "Stormwater" has the same meaning as "stormwater runoff" under 10 V.S.A. § 1264.

(11) "Stormwater management system" means any structure, or improvement, whether structural or nonstructural, necessary for collecting, containing, controlling, treating, or conveying stormwater, including sewers, curbs, drains, conduits, natural and man-made channels, settling ponds, pipes, and culverts.

§ 3602. BOARD OF COMMISSIONERS; MEMBERSHIP

(a) Except as provided for in subsection (b) of this section, the selectboard of a town, the trustees of a village, the prudential committee of a fire or lighting district, or the mayor and board of aldermen of a city, shall be the board of commissioners for the sewage system of a municipality.

(b) The legislative body of the municipality may vote to constitute a separate board of sewage system commissioners. The board shall have not less than three nor more than seven members, who shall be legally qualified voters of the municipality. Members shall be appointed, and any vacancy filled, by the legislative body of the municipality. The term of each member shall be four years. Any member may be removed by the legislative body of the municipality for just cause after due notice and hearing.

§ 3603. BOARD OF COMMISSIONERS; DUTIES AND AUTHORITY

(a) The board shall have the supervision of the municipal sewage system and shall make and establish all needed rates for rent and rules for control and operation of the system. The board may require:

(1) the owners of buildings, subdivisions, or developments abutting a public street or highway to have all sewers from those buildings, subdivisions,

or developments connected to the municipal corporations sewer system; and

(2) any individual, person, or corporation to connect to the municipal sewage system for the purposes of abating pollution of the waters of the State.

(b) The commissioners may appoint or remove a superintendent at their pleasure.

§ ~~3602~~ 3604. SEWAGE DISPOSAL PLANT, SYSTEM; CONSTRUCTION

A municipal corporation may:

(1) construct, maintain, operate, and repair a sewage disposal plant and system;

(2) pursuant to the procedures established in this chapter, take, purchase, and acquire, in the manner hereinafter mentioned, real estate and easements necessary for its purposes;

*(3) may enter in and upon any land for the purpose of making surveys;
and*

(4) may lay and connect pipes, stormwater management systems, and sewers, and connect the same as may be necessary to convey sewage for the purpose of disposing and dispose of sewage by such municipal corporation.

§ ~~3603~~ 3605. ENTRY ON LANDS

~~Such~~ A municipal corporation, for the purposes enumerated in section ~~3602~~ 3604 of this title chapter, may:

(1) enter upon and use any land and enclosures over or through which it may be necessary for pipes, stormwater management systems, and sewer to pass, and may thereon;

(2) at any time, place, lay, and construct such any pipes and sewers, appurtenances, and connections as may be necessary for the complete construction and repairing of the same from time to time, may the system; and

(3) open the ground in any streets, lanes, avenues, highways, and public grounds for the purposes hereof; described in this section, provided that such the streets, lanes, avenues, highways, and public grounds shall not be injured; but shall be left in as good condition as before the laying of such the pipes, stormwater management systems, and sewers.

§ ~~3604~~ 3606. PETITION FOR HEARING TO DETERMINE NECESSITY

The municipal corporation may agree with all the owners of land or interest in land affected by ~~the~~ a survey made under section ~~3602~~ 3604 of this title chapter for the conveyance of their the owners' interest. Where such the agreement is not made, the board shall petition a Superior judge the Civil

~~Division of the Superior Court, setting forth therein in the petition that such the board proposes to take certain land, or rights therein in the land, and describing such the lands or rights, and the. The survey shall be annexed to said included in the petition and made a part thereof. Such The petition shall set forth the purposes for which such the land or rights are desired, and shall contain a request that such judge the court fix a time and place when he or she or some other Superior judge the court will hear all parties concerned and determine whether such the taking is necessary.~~

~~§ 3605~~ 3607. HEARING TO DETERMINE NECESSITY

~~The judge to whom such the petition is presented shall fix the time for hearing, which shall not be more than 60 nor or less than 30 days from the date the judge signs such the order. Likewise, the judge shall fix the place for hearing, which shall be the county courthouse or any other convenient place within the county in which the land in question is located. If the Superior judge to whom such the petition is presented cannot hear the petition at the time set therefore for the hearing, the Superior judge shall call upon the Chief Superior Judge to shall assign another Superior judge to hear such the cause at the time and place assigned in the order.~~

~~§ 3606~~ 3608. SERVICE AND PUBLICATION OF PETITION

~~(a) A copy of the petition together with a copy of the court's order fixing the time and place of hearing shall be published in a newspaper having general circulation in the town in which the land included in the survey lies once a week for three consecutive weeks on the same day of the week, the. The last publication to be not less than five days before the hearing date, and a.~~

~~(b) A copy of the petition, together with a copy of the court's order fixing the time and place of hearing, and a copy of the survey shall be placed on file in the clerk's office of the town.~~

~~(c) The petition, together with the court's order fixing the time and place of hearing, shall be served upon each person owning or having an interest in land to be purchased or condemned like a summons, or, on absent defendants, in such the manner as the Supreme Court may by rule provide for service of process in civil actions. If the service on any defendant is impossible, upon affidavit of the sheriff, deputy sheriff, or constable attempting service, therein stating that the location of the defendant within or without outside the State is unknown and that he or she the defendant has no known agent or attorney in the State of Vermont upon which whom service may be made, the publication herein provided required by this section shall be deemed sufficient service on the defendant.~~

~~(d) Compliance with the provisions hereof of this section shall constitute~~

sufficient service upon and notice to any person owning or having any interest in the land proposed to be taken or affected.

§ ~~3607~~ 3609. HEARING AND ORDER OF NECESSITY

(a) At the time and place appointed for the hearing, the court shall hear all persons interested and wishing to be heard. If any person owning or having an interest in land to be taken or affected appears and objects to the necessity of taking the land included within the survey or any part thereof of the survey, then the court shall require the board to proceed with the introduction of evidence of the necessity of ~~such~~ the taking.

(b) The burden of proof of the necessity of the taking shall be upon the board.

(c) The court may cite in additional parties including other property owners whose interests may be concerned or affected by any taking of land or interest therein in land based on any ultimate order of the court.

(d) The court shall make findings of fact and file them. The court shall, by its order, determine whether necessity requires the taking of ~~such~~ land and rights and may modify or alter the proposed taking in ~~such respects as to it~~ the court may ~~see~~ deem proper.

§ ~~3608~~ 3610. APPEAL FROM ORDER OF NECESSITY

(a) If the State, municipal corporation, or any owner affected by the order of the court is aggrieved ~~thereby~~ by the order, an appeal may be taken to the Supreme Court in ~~such~~ the manner as the Supreme Court may by rule provide for appeals from the Civil Division of the Superior ~~courts~~ Court.

(b) In the event an appeal is taken, all proceedings shall be stayed until final disposition of the appeal. If no appeals are taken within the time provided ~~therefor~~ or, if appeal is taken, upon its final disposition, a copy of the order of the court shall be placed on file within 10 days in the office of the clerk of each town in which the land affected lies, and thereafter for a period of one year, the board may institute proceedings for the condemnation of the land included in the survey as finally approved by the court without further hearing or consideration of any question of the necessity of the taking.

§ ~~3609~~ 3611. COMPENSATION; CONDEMNATION

(a) When an owner of land or rights therein in land and the board are unable to agree on the amount of compensation ~~therefor~~ or in case the owner is an infant, a person who lacks capacity to protect his or her the person's interests due to a mental condition or psychiatric disability, absent from the State, unknown, or the owner of a contingent or uncertain interest, a Superior judge may, on the application of either party, cause the notice to be given of

the application as ~~he or she~~ the judge may prescribe, and after proof thereof of the application, the judge may appoint three disinterested persons to examine the property to be taken, or damaged by the municipal corporation.

(b) After being duly sworn, the commissioners shall, upon due notice to all parties in interest, view the premises, hear the parties in respect to the property, and shall assess and award to the owners and persons so interested just damages for any injury sustained and make report in writing to the judge.

(c) In determining damages resulting from the taking or use of property under the provisions of this chapter, the added value, if any, to the remaining property or right ~~therein~~ in property that inures directly to the owner thereof as a result of the taking or use as distinguished from the general public benefit, shall be considered.

(d) The judge may ~~thereupon~~ accept the report, unless just cause is shown to the contrary, and order the municipal corporation to pay the same in the time and manner as the judge may prescribe, in full compensation for the property taken, or the injury done by the municipal corporation, or the judge may reject or recommit the report if the ends of justice so require. On compliance with the order, the municipal corporation may proceed with the construction of its work without liability for further claim for damages. In ~~his or her~~ the judge's discretion, the judge may award costs in the proceeding. Appeals from the order may be taken to the Supreme Court under 12 V.S.A. chapter 102.

§ ~~3610~~ 3612. RECORD

Within 60 days after the taking of any property, franchise, easement, or right under the provisions of this chapter, ~~sueh~~ the municipal corporation shall file a description ~~thereof~~ of the property in the office of the clerk ~~wherein~~ where the land records are required by law to be kept.

§ ~~3611~~ 3613. CONTRACT FOR SEWAGE DISPOSAL

(a) ~~Sueh~~ A municipal corporation may contract with the State, the federal government, or any appropriate agency ~~thereof~~, of the State or federal government; any town, city, or village; any corporation; and any individuals to make disposal of sewage or stormwater for ~~sueh~~ the other town, city, village, corporation, or individuals. ~~Sueh~~ When consistent with State or federal law, the municipal corporation may make sale of sludge or fertilizer byproducts incident to sewage disposal, and the proceeds from the sale thereof shall be turned over to the treasury of ~~sueh~~ the sewage disposal district system and credited ~~therein~~ as is other income derived under the authority of this chapter.

* * *

~~§ 3612~~ 3614. CHARGES; ENFORCEMENT

~~(a) The owner of any tenement, house, building, or lot shall be liable for the sewage disposal charge as hereinafter defined. Such sewage disposal charge~~ A property owner or group of property owners using the sewage system shall be liable for the rent fixed by the board pursuant to this chapter. The charges, rates, or rents for the sewage system shall be a lien upon the real estate furnished with such service in the same manner and to the same effect as taxes are a lien upon real estate under 32 V.S.A. § 5061 and shall be an assessment enforceable under the procedures in ~~subsections~~ subsection (b), (c), or (d) of this section, or a combination of these procedures.

* * *

~~§ 3613~~ 3615. TAXES, BONDS

~~For the purpose of adequately making disposal of sewage within its boundaries; successfully organizing, establishing, and operating its sewage plant, sewage disposal plant, or some form of sewage treatment plant; and making such improvements as may be necessary, a municipal corporation may from time to time:~~

~~(1) purchase, take, and hold real and personal estate;~~

~~(2) borrow money;~~

~~(3) levy, and collect taxes upon the ratable estate of the municipal corporation necessary for the payment of municipal corporation sewage and sewage disposal expenses and indebtedness;~~

~~(4) issue for the purposes hereof of this section evidences of indebtedness pursuant to chapter 53, subchapter 2 of this title or its negotiable bonds pursuant to chapter 53, subchapter 1 of this title; provided, however, that bonds so issued:~~

~~(1)(A) shall not be considered as indebtedness of such the municipal corporation limited by the provisions of section 1762 of this title;~~

~~(2)(B) may be paid in not more than 30 years from the date of issue notwithstanding the limitation of section 1759 of this title;~~

~~(3)(C) may be authorized by a majority of all the voters present and voting on the question at a meeting of such the municipal corporation held for the this purpose pursuant to chapter 53, subchapter 1 of this title notwithstanding any provisions of general or special law which that may require a greater vote, and may be so arranged that beginning with the first year in which principal is payable, the amount of principal and interest in any year shall be as nearly equal as is practicable according to the denomination~~

in which ~~such~~ the bonds or other evidences of indebtedness are issued notwithstanding other permissible payment schedules authorized by section 1759 of this title.

~~§ 3614. BOARD OF SEWAGE DISPOSAL COMMISSIONERS~~

~~The selectboard of a town, the trustees of a village, the prudential committee of a fire or lighting district, or the mayor and board of aldermen of a city, shall constitute a board of sewage disposal commissioners.~~

~~§ 3615~~ 3616. RENTS; RATES

(a) ~~Such~~ A municipal corporation, through its board of sewage disposal commissioners, may establish rates, rents, or charges to be called "sewage disposal charges," to be paid at such times and in such manner as the ~~commissioners~~ board may prescribe. The ~~commissioners~~ board may establish annual charges separately for bond repayment, fixed operations and maintenance costs (~~not dependent on actual use~~), and variable operations and maintenance costs dependent on flow.

(b) ~~Such~~ The rates, rents, or charges may be based upon:

(1) the metered consumption of water on premises connected with the sewer system, however, the ~~commissioners~~ board may determine no user will be billed for fixed operations and maintenance costs and bond payment less than the average single family single-family charge;

(2) the number of equivalent units connected with or served by the sewage system based upon their estimated flows compared to the estimated flows from a single family single-family dwelling, however, the ~~commissioners~~ board may determine no user will be billed less than the minimum charge determined for the ~~single-family~~ single-family dwelling charge for fixed operations and maintenance costs and bond payment;

(3) the strength and flow where wastes stronger than household wastes are involved;

(4) the appraised value of premises, in the event that the commissioners shall determine the sewage disposal plant to be of general benefit to the municipality regardless of actual connection with the same;

(5) the commissioners' determination developed using any other equitable basis such as the number and kind of plumbing fixtures; the number of persons residing on or frequenting the premises served by those sewers; and the topography, size, type of use, or impervious area of any premises;

(6) for groundwater, surface, or stormwater an equivalent residential unit based on an average area of impervious surface on residential property

within the municipality; or

(7) any combination of these bases, so long as provided the combination is equitable.

(b)(c) The basis for establishing sewer disposal rates, rents, or charges shall be reviewed annually by sewage disposal commissioners the board. No premises otherwise exempt from taxation, including premises owned by the State of Vermont, shall, by virtue of any such the exemption, be exempt from charges established hereunder under this section. The commissioners may change the rates of such, rents, or charges from time to time as may be reasonably required.

(d) Where one of the bases of such a rent, rate, or charge is the appraised value and the premises to be appraised are tax exempt, the commissioners board may cause the listers to appraise such the property, including State property, for the purpose of determining the sewage disposal the rates, rents, or charges. The right of appeal from such the appraisal shall be the same as provided in 32 V.S.A. chapter 131. The Commissioner of Finance and Management is authorized to issue his or her warrants for sewage disposal rates, rents, or charges against State property and transmit to the State Treasurer who shall draw a voucher in payment thereof of the rates, rents, or charges. No charge so established and no tax levied under the provisions of section ~~3613~~ 3615 of this title shall be considered to be a part of any tax authorized to be assessed by the legislative body of any municipality for general purposes, but shall be in addition to any such tax so authorized to be assessed.

(e) Sewage disposal Rates, rents, or charges established in accord with this section may be assessed by the board of sewage disposal commissioners as provided in section ~~3614~~ of this title to derive the revenue required to pay pollution charges assessed against a municipal corporation under 10 V.S.A. ~~§ 1265~~ 1263.

(e)(f) When a sewage disposal rate, rent, or charge established under this section for the management of stormwater is applied to property owned, controlled, or managed by the Agency of Transportation, the charge shall not exceed the highest rate category applicable to other properties in the municipality, and the Agency of Transportation shall receive a 35 percent credit on the charge. The Agency of Transportation shall receive no other credit on the charge from the municipal corporation.

§ ~~3616~~ 3617. DUTIES; USE OF PROCEEDS

(a) Such sewage disposal commissioners shall have the supervision of such municipal sewage disposal department, and shall make and establish all

~~needful rates for charges, rules, and regulations for its control and operation including the right to require any individual, person, or corporation to connect to such the municipal system for the purposes of abating pollution of the waters of the State. Such commissioners may appoint or remove a superintendent at their pleasure. The charges and receipts of such the department shall only be used and applied to pay the interest and principal of the sewage disposal bonds of such the municipal corporation as well as, the expense of maintenance and operation of the sewage disposal department system, or other expenses of the sewage system.~~

~~(b) These The charges and receipts also may be used to develop a dedicated fund that may be created by the ~~commissioners~~ board to finance major rehabilitation, major maintenance, and upgrade costs for the sewer system. This fund may be established by an annual set-aside of up to 15 percent of the normal operations, maintenance, and bond payment costs, except that with respect to subsurface leachfield systems, the annual set-aside may equal up to 100 percent of these costs. The fund shall not exceed the estimated future major rehabilitation, major maintenance, or upgrade costs for the sewer system. Any dedicated fund shall be insured at least to the level provided by FDIC and withdrawals shall be made only for the purposes for which the fund was established. Any ~~such~~ dedicated fund may be established and controlled in accord with section 2804 of this title or may be established by act of the legislative body of the municipality. Funds so established shall meet the requirements of subdivision 4756(a)(4) of this title.~~

~~(c) Where the municipal legislative body establishes ~~such~~ a dedicated fund pursuant to this section, it shall first adopt a municipal ordinance authorizing and controlling ~~such~~ the funds. ~~Such~~ The ordinance and any local policies governing the funds must conform to the requirements of this section.~~

~~(d) The charges, receipts, and revenue may also be used for stormwater management, control, and treatment; flood resiliency; floodplain restoration; and other similar measures.~~

~~§ 3617~~ 3618. ORDINANCES

~~Such The municipal corporation shall have the power to make, establish, alter, amend, or repeal ordinances, regulations, and bylaws relating to the matters contained in this chapter, consistent with law, and to impose penalties for the breach thereof, of an ordinance and enforce the same those penalties.~~

~~§ 3619.~~ SEWERS AND PLUMBING; ORDERS

~~The board may require the owners of buildings, subdivisions, or developments abutting on a public street or highway to have all sewers from those buildings, subdivisions, or developments connected to the municipal~~

corporation's sewage system.

§ 3618 3620. MEETINGS; VOTE

Any action taken by ~~sueh~~ a municipal corporation under the provisions of this chapter or relating to the matters ~~therein set forth~~ contained in this chapter, may be taken by vote of the legislative body of ~~sueh~~ the municipal corporation, excepting the issuance of bonds and, in municipalities wherein ~~sueh~~ the legislative body is not otherwise given the power to levy taxes, the levying of a tax under section ~~3613~~ 3615 of this title; provided, however, that no action shall be taken hereunder unless the construction of a sewage disposal plant shall have first been authorized by majority vote of the legal voters of ~~sueh~~ the municipal corporation attending a meeting ~~duly warned and holden~~ warned for that purpose.

* * *

Sec. 14. 24 V.S.A. § 3679 is amended to read:

§ 3679. FINANCES—SEWER RATES; APPLICATION OF REVENUE

(a) The board of sewer commissioners of a consolidated sewer district shall establish rates for the sewer service and all individuals, firms, and corporations whether private, public, or municipal shall pay to the treasurer of the district the rates established by the board. The manner of establishment of the rates shall be in accord with section ~~3615~~ 3616 of this title. The rates shall be so established as to provide revenue for the following purposes:

* * *

Sec. 15. REPEAL

24 V.S.A. chapter 97 (sewage system) is repealed.

* * * Creation of the Urban Search and Rescue Team * * *

~~Sec. 16. 20 V.S.A. § 49 is added to read:~~

~~§ 49. URBAN SEARCH AND RESCUE TEAM~~

~~(a) The Department of Public Safety is authorized to create the Urban Search and Rescue (USAR) Team to provide for the rapid response of trained professionals to emergencies and other hazards occurring in the State. The Commissioner shall appoint a USAR Team program manager to carry out the duties and responsibilities of the USAR Team.~~

~~(b) The USAR Team program manager shall perform all the following duties:~~

~~(1) organize the State USAR Team to assist local first responders in response to emergencies and other hazards,~~

~~(2) hire persons for the USAR Team from fire, police, and emergency medical services and persons with specialty backgrounds in emergency response or search and rescue;~~

~~(3) coordinate the acquisition and maintenance of adequate vehicles and equipment for the USAR Team;~~

~~(4) ensure that USAR Team personnel are organized, trained, and exercised in accordance with the appropriate search and rescue standards or certifications;~~

~~(5) negotiate and enter into agreements with municipalities, municipal agencies that maintain swiftwater rescue teams, State-recognized swiftwater rescue teams, or other technical rescue teams to provide expert assistance and services to the USAR Team when necessary; and~~

~~(6) coordinate USAR Team participation in search and rescue operations under chapter 112 of this title.~~

~~(c) The Department of Public Safety may employ as many USAR Team responders as the Commissioner deems necessary as temporary State employees, who shall be compensated as such when authorized to respond to an emergency or hazard incident or to attend USAR Team training. State USAR Team responders, whenever acting as State agents in accordance with this section, shall be afforded all of the protections and immunities of State employees.~~

~~(d) An amount not less than \$750,000.00 shall be annually allocated to the Department of Public Safety to facilitate the operations of the USAR Team.~~

Sec. 16. 20 V.S.A. § 50 is added to read:

§ 50. URBAN SEARCH AND RESCUE TEAM

(a) The Department of Public Safety is authorized to create the Urban Search and Rescue (USAR) Team to provide for the rapid response of trained professionals to emergencies and other hazards occurring in the State. The Commissioner shall appoint a USAR Team program manager to carry out the duties and responsibilities of the USAR Team.

(b) The USAR Team program manager shall perform all the following duties:

(1) organize the State USAR Team to assist local first responders in response to emergencies and other hazards;

(2) hire persons for the USAR Team from fire, police, and emergency medical services and persons with specialty backgrounds in emergency response or search and rescue;

(3) coordinate the acquisition and maintenance of adequate vehicles and equipment for the USAR Team;

(4) ensure that USAR Team personnel are organized, trained, and exercised in accordance with the appropriate search and rescue standards or certifications;

(5) negotiate and enter into agreements with municipalities, municipal agencies that maintain swiftwater rescue teams, State-recognized swiftwater rescue teams, or other technical rescue teams to provide expert assistance and services to the USAR Team when necessary; and

(6) coordinate USAR Team participation in search and rescue operations under chapter 112 of this title.

(c) The Department of Public Safety may employ as many USAR Team responders as the Commissioner deems necessary as temporary State employees, who shall be compensated as such when authorized to respond to an emergency or hazard incident or to attend USAR Team training. State USAR Team responders, whenever acting as State agents in accordance with this section, shall be afforded all of the protections and immunities of State employees.

* * * Vermont-211 Information Privacy * * *

Sec. 17. PUBLIC RECORDS ACT; VERMONT 211; CONFIDENTIALITY

Pursuant to Vermont's Public Records Act, personal information and lists of names within records created or acquired by Vermont 211 shall be exempt from public inspection or copying. Vermont 211 shall keep confidential any personal information acquired from victims of a natural disaster or all-hazard, as defined by 20 V.S.A. § 2. This section shall not be construed to prevent the limited disclosure of personal information for the purposes of coordinating relief work for individuals affected by a natural disaster or all-hazard.

* * * Emergency Communications * * *

Sec. 18. PUBLIC NOTIFICATION POLICY DURING EMERGENCY

The Department of Public Safety's Division of Vermont Emergency Management (VEM), in consultation with the Enhanced 911 Board, shall develop a policy for the use of E-911 databases that maintain callback numbers of subscribers to provide VT-Alerts more effectively and expeditiously during emergencies in order to reduce the risk of harm to persons and property. The Division shall issue its policy on or before July 1, 2025.

~~Sec. 19. 30 V.S.A. § 7055 is amended to read:~~

~~§ 7055. TELECOMMUNICATIONS COMPANY ORIGINATING~~

CARRIER COORDINATION

~~(a) Every telecommunications company under the jurisdiction of the Public Utility Commission originating carrier offering access to the public switched telephone network shall make available, in accordance with rules adopted by the Public Utility Commission requirements established by the Federal Communications Commission, the universal emergency telephone number 911 for use by the public in seeking assistance from fire, police, medical, and other emergency service providers through a public safety answering point and shall deliver their customers' 911 calls to the point of interconnection defined by the Board.~~

~~(b) Every local exchange telecommunications provider originating carrier shall provide the ANI and any other information required by rules adopted under section 7053 of this title to the Board, or to any administrator of the Enhanced 911 database databases, for purposes of maintaining the Enhanced 911 database databases and for all purposes outlined in section 7059 of this title. Each such provider shall be responsible for updating the information at a frequency specified by such rules. All persons receiving confidential information under this section, as defined by the Public Utility Commission section 7059 of this title, shall use it solely for the purposes of providing emergency 911 services specified in section 7059 of this title and shall not disclose such confidential information for any other purpose.~~

~~(c) Each local exchange telecommunications company, cellular company, and mobile or personal communications service company originating carrier providing services within the State shall designate a person to coordinate with and provide all relevant information to the Enhanced 911 Board and Public Utility Commission in carrying out the purposes of the chapter.~~

~~(d) Wire line and nonwire cellular Originating carriers certificated to provide service in the State shall provide ANI signaling which identifies geographical location as well as cell site address for cellular 911 calls. Personal communications networks and any future mobile or personal communications systems shall also be required to identify the location of the caller. The telephone company shall provide ANI signaling which identifies the name of the carrier and identify the type of service as cellular, mobile, or personal communications as part of the ANI along with a screen message that advises the call answerer to verify the location of the reported emergency. Telecommunication providers of mobile wireless, IP-enabled, and other communication services which have systems with the capability to send data related to the location of the caller with the call or transmission instead of relying on location data otherwise contained in the ANI database shall provide this data with calls or transmissions for the sole purpose of enabling the~~

~~emergency 911 system to locate an individual seeking emergency services. Location data shall be provided in accordance with relevant national standards for next generation 9-1-1 technology available Automatic Number Identification (ANI) that can be used to query the Enhanced 911 Automatic Location Identification or third-party databases to provide the Automatic Location Identification that will include callback number, customer name, location, company or carrier identification, and class of service of the 911 caller. Originating carriers with the capability to provide location and caller data with the call shall do so in accordance with the approved i3 Standards for Next Generation 9-1-1.~~

~~(e) Each local exchange telecommunications provider in the State shall file with the Public Utility Commission tariffs for each service element necessary for the provision of Enhanced 911 services. The Public Utility Commission shall review each company's proposed tariff, and shall ensure that tariffs for each necessary basic service element are effective within six months of after filing. The Department of Public Service, by rule or emergency rule, may establish the basic service elements that each company must provide for in tariffs. Such tariffs must be filed with the Public Utility Commission within 60 days after the basic service elements are established by the Department of Public Service.~~

~~(f)(1) Every originating carrier shall, in accordance with rules adopted by the Enhanced 911 Board, notify its customers, the 911 system provider, and the Board, of planned or unplanned outages that impact customers' ability to complete a call to, or communicate with, 911 or that prevent subscribers from receiving emergency notifications.~~

~~(2) Notification of outages described in this subsection shall include, at a minimum, a posting of basic details regarding the outage on the originating carrier's website.~~

~~(g) As used in this section:~~

~~(1) "Originating carrier" or "originating service provider" means an entity that provides voice services to a subscriber and includes incumbent local exchange carriers operating in Vermont.~~

~~(2) "Incumbent local exchange carrier" has the same meaning as in 47 U.S.C. § 251(h) and includes rural local exchange carriers.~~

~~Sec. 19. [Deleted.]~~

~~Sec. 20. ENHANCED 911 BOARD TARIFFS, REPORT, APPROPRIATION~~

~~(a) On or before January 15, 2025, the Enhanced 911 Board shall report to the House Committee on Government Operations and Military Affairs and the~~

~~Senate Committee on Government Operations on current local exchange telecommunications tariffs, and, in particular, evaluating existing tariffs permitted pursuant to 30 V.S.A. § 7055, determining actual costs for the provision of the service elements, and comparing those tariffs to similar cost recovery mechanisms in other States.~~

~~(b) The sum of \$25,000.00 is appropriated from the General Fund to the Enhanced 911 Board in fiscal year 2025 for the purpose of conducting the evaluation and producing the report.~~

Sec. 20. ENHANCED 911 BOARD TARIFFS; REPORT

On or before January 15, 2025, the Enhanced 911 Board shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations on current local exchange telecommunications tariffs, and, in particular, evaluating existing tariffs permitted pursuant to 30 V.S.A. § 7055, determining actual costs for the provision of the service elements, and comparing those tariffs to similar cost recovery mechanisms in other states.

** * * Language Assistance Services for State Emergency
Communications * * **

Sec. 21. 20 V.S.A. § 4 is added to read:

*§ 4. LANGUAGE ASSISTANCE SERVICES FOR STATE EMERGENCY
COMMUNICATIONS*

(a) If an all-hazards event occurs, the Vermont Emergency Management Division shall ensure that language assistance services are available for all State communications regarding the all-hazards event, including relevant press conferences and emergency alerts, in a timely manner. Language assistance services shall be provided for:

- (1) individuals who are Deaf, Hard of Hearing, and DeafBlind; and*
- (2) individuals with limited English proficiency.*

(b) As used in this section, an “individual with limited English proficiency” means a person who does not speak English as the person’s primary language and who has a limited ability to read, write, speak, or understand English.

(c) Annually, the Vermont Emergency Management Division shall hold a public meeting with members of the Vermont Deaf, Hard of Hearing, and DeafBlind Advisory Council; the Office of Racial Equity; the Vermont Association of Broadcasters; and other relevant stakeholders to review the adequacy and efficacy of the provision and distribution of language assistance services of emergency communications over mass communication platforms to

individuals who are Deaf, Hard of Hearing, and DeafBlind as well as individuals with limited English language proficiency.

~~Sec. 22. EMERGENCY COMMUNICATIONS, APPROPRIATIONS~~

~~(a) The sum of \$15,000.00 is appropriated from the General Fund to the Department of Public Safety's Division of Radio Technology Services in fiscal year 2025 for the purpose of creating new connections from select Vermont State Police Radio Transmission towers directly to the Primary and Secondary State Relay radio stations listed in Vermont's Emergency Alert System Plan.~~

~~(b) The sum of \$25,000.00 is appropriated from the General Fund to the Department of Public Safety's Division of Emergency Management in fiscal year 2025 for the purpose of conducting a multi-media outreach campaign to increase the number of Vermonters registered with VT Alert and educate Vermonters on how to prepare for an emergency.~~

Sec. 22. [Deleted.]

Sec. 23. LANGUAGE ASSISTANCE SERVICES FOR EMERGENCY COMMUNICATIONS WORKING GROUP; REPORT

(a) Creation. There is created the Language Assistance Services for Emergency Communications Working Group, consisting of staff at the Vermont Emergency Management (VEM) Division and the Office of Racial Equity, who will collaborate with the Vermont Association of Broadcasters; the Vermont Deaf, Hard of Hearing, and DeafBlind Advisory Council; and other relevant stakeholders.

(b) Duties. The Working Group shall develop best practices for the provision of language assistance services in emergency communications during and after all-hazard events, as defined in 2 V.S.A. § 2. The Working Group shall analyze and make recommendations on technologies for providing these services, including tools such as Communication Access Realtime Translation (CART) and Picture in Picture (PIP) techniques and automated language translation services or machine translation.

(c) Report. On or before December 15, 2024, the Working Group shall submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with its findings and any recommendations for legislative action.

(d) Prospective repeal. The Working Group shall cease to exist on June 30, 2025.

** * * Post-Secondary Disaster Management Programs * * **

Sec. 24. POST-SECONDARY DISASTER MANAGEMENT PROGRAM

REPORT

On or before February 15, 2025, the President or designee for the Vermont State University and the President or designee for the University of Vermont shall each submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations examining the creation of post-secondary disaster management programs, including the associated costs, projected enrollments, and aspects of curricula.

** * * Emergency Powers of the Governor and Emergency Management * * **

Sec. 25. 20 V.S.A. § 1 is amended to read:

§ 1. PURPOSE AND POLICY

(a) Because of the increasing possibility of the occurrence of disasters or emergencies of unprecedented size and destructiveness resulting from all-hazards and in order to ensure that preparation of this State will be adequate to deal with such disasters or emergencies; to provide for the common defense; to protect the public peace, health, and safety; and to preserve the lives and property of the people of the State, it is found and declared to be necessary:

(1) to create a State emergency management agency; and to authorize the creation of local and regional organizations for emergency management;

(2) to confer upon the Governor and upon the executive heads or legislative branches of the towns and cities of the State the emergency powers provided pursuant to this chapter;

(3) to provide for the rendering of mutual aid among the towns and cities of the State; with other states and Canada; and with the federal government with respect to the carrying out of emergency management functions; and

(4) to authorize the establishment of organizations and ~~the taking of steps as necessary and appropriate~~ to carry out the provisions of this chapter as necessary and appropriate.

** * **

Sec. 26. 20 V.S.A. § 8 is amended to read:

§ 8. GENERAL POWERS OF GOVERNOR

** * **

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

** * **

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

(A) to ascertain the requirements of the State or the municipalities for food ~~or~~, water, fuel, clothing, or other necessities of life in any all-hazards event and to plan for and procure supplies, medicines, materials, and equipment for the purposes set forth in this chapter;

** * **

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

** * **

(8) Mutual aid agreements with other states. On behalf of this State, to enter into reciprocal aid agreements under this chapter and pursuant to compacts with other states and the federal government or a province of a foreign country under such terms as the Congress of the United States may prescribe. These mutual aid arrangements shall be limited to the furnishing or exchange of food, water, fuel, clothing, medicine, and other supplies; engineering services; emergency housing; police services; National Guard ~~or State Guard~~ units while under the control of the State; health; medical and related services; fire fighting, rescue, transportation, and construction services and equipment; personnel necessary to provide or conduct these services; and other supplies, equipment, facilities, personnel, and services as needed; and the reimbursement of costs and expenses for equipment, supplies, personnel, and similar items for mobile support units, ~~fire fighting~~ firefighting, and police units and health units. The mutual aid agreements shall be made on such terms and conditions as the Governor deems necessary.

** * **

Sec. 27. 20 V.S.A. § 9 is amended to read:

§ 9. EMERGENCY POWERS OF GOVERNOR

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

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

** * **

Sec. 28. 20 V.S.A. § 11 is amended to read:

§ 11. ADDITIONAL EMERGENCY POWERS

In the event of an all-hazards event, the Governor may exercise any or all of the following additional powers:

(1) To authorize any department or agency of the State to lease or lend, on such terms and conditions and for ~~such a~~ a period as ~~he or she~~ deems necessary related to the declaration of emergency to promote the public welfare and protect the interests of the State, any real or personal property of the State government, ~~or authorize the temporary transfer or employment of personnel of the State government to or by the U.S. Armed Forces.~~

(2) To enter into a contract on behalf of the State for the lease or loan, on such terms and conditions and for such period as ~~he or she~~ the Governor deems necessary to promote the public welfare and protect the interests of the State, of any real or personal property of the State government, or the temporary transfer or employment of personnel thereof to any town or city of the State. The chief executive or, the chair or president of the legislative branch, or the emergency management director of the town or city is authorized for and in the name of the town or city to enter into the contract with the Governor for the leasing or lending of the property and personnel, and the chief executive ~~or, the chair or president of the legislative branch, or the emergency management director~~ of the town or city may equip, maintain, utilize, and operate such property except ~~newspapers and other publications~~ news outlets, radio stations, places of worship and assembly, and other facilities for the exercise of constitutional freedom, and employ necessary personnel in accordance with the purposes for which such contract is executed; ~~and may do all things and perform all acts necessary to effectuate the purpose for which the contract was entered into.~~

** * **

(5) To make compensation for the property seized, taken, or condemned on the following basis:

(A) ~~In case~~ Whenever the Governor deems it advisable for the State to take property is taken for temporary use or to take property permanently, the Governor, at the time of the taking, shall fix the amount of compensation to be paid for the property; ~~and in.~~ In case the property is taken for temporary use

~~and returned to the owner in a damaged condition or shall not be returned to the owner, the Governor shall fix the amount of compensation to be paid for the damage or failure to return.~~

~~(B) Whenever the Governor deems it advisable for the State to temporarily or permanently take title to property taken under this section, the Governor shall forthwith cause notify the owner of the property to be notified of the taking in writing by registered mail or in person, postage prepaid, and forthwith cause to be filed shall file a copy of the notice with the Secretary of State.~~

~~(B)(C) Any owner of property of which possession has been either temporarily or permanently taken under the provisions of this chapter to whom no award has been made or who is dissatisfied with the amount awarded him or her by the Governor may file a petition in the Superior Court within the county wherein the property was situated at the time of taking to have the amount to which he or she the owner is entitled by way of damages or compensation determined, and either the petitioner or the State shall have the right to have the amount of such damages or compensation fixed after hearing by three disinterested appraisers appointed by the court, and who shall operate under substantive and administrative procedure to be established by the Superior judges. If the petitioner owner of the property is dissatisfied with the award of the appraisers, he or she the owner may appeal the award to the Superior Court and thereafter have a trial by jury to determine the amount of the damages or compensation. The court costs of a proceeding brought under this section by the owner of the property shall be paid by the State, and the fees and expenses of any attorney for the owner shall also be paid by the State after allowances by the court in which the petition is brought in an amount determined by the court. The statute of limitations shall not apply to proceedings brought by owners of property under this section for and during the time that any court having jurisdiction over the proceedings is prevented from holding its usual and stated sessions due to conditions resulting from emergencies described in this chapter.~~

~~(6) To perform and exercise other functions, powers, and duties as necessary to promote and secure the safety and protection of the civilian population. [Repealed.]~~

Sec. 29. 20 V.S.A. § 13 is amended to read:

§ 13. TERMINATION OF EMERGENCIES

The Governor:

(1) May terminate by ~~proclamation~~ declaration the emergencies provided for in sections 9 and 11 of this title; provided, however, that no

emergencies shall be terminated prior to the termination of such emergency as provided in federal law.

(2) May declare the state of emergency terminated in any area affected by an all-hazards event.

(3) Upon receiving notice that a majority of the legislative body of a municipality affected by a natural disaster no longer desires that the state of emergency continue within its municipality, shall may declare the state of emergency terminated within that particular municipality. Upon the termination of the state of emergency, the functions as set forth in section 9 of this title shall cease, and the local authorities shall resume control.

Sec. 30. 20 V.S.A. § 17 is amended to read:

§ 17. GIFT, GRANT, OR LOAN

(a) Federal. Whenever the federal government or any agency or officer of the federal government offers to the State, or through the State to any town or city within Vermont, services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management, the State, acting through the Governor in coordination with the Department of Public Safety, or such town or city acting with the consent of the Governor and through its executive officer or legislative branch, may accept the offer, ~~and upon~~ in accordance with the provisions of 32 V.S.A. § 5. Upon such acceptance, the Governor or the executive officer or legislative branch of the political subdivision may authorize any officer of the State or of the political subdivision, as the case may be, to receive the services, equipment, supplies, materials, or funds on behalf of the State or the political subdivisions, and subject to the terms of the offer and rules, if any, of the agency making the offer. Whenever a federal grant is contingent upon a State or local contribution, or both, the Department of Public Safety and the political subdivision shall determine whether the grant shall be accepted and, if accepted, the respective shares to be contributed by the State and town or city concerned.

(b) Private. Whenever any person, firm, or corporation offers to the State or to any town or city in Vermont services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of emergency management, the State, acting through the Governor; or the political subdivision, acting through its executive officer or legislative branch, may accept the offer, ~~and upon~~ in accordance with the provisions of 32 V.S.A. § 5. Upon such acceptance, the Governor or executive officer or legislative branch of the political subdivision may authorize any officer of the State or the political subdivision, as the case may be, to receive the services, equipment, supplies,

materials, or funds on behalf of the State or the political subdivision; and subject to the terms of the offer.

Sec. 31. 20 V.S.A. § 26 is amended to read:

§ 26. CHANGE OF VENUE BECAUSE OF ~~ENEMY ATTACK~~ AN ALL-HAZARDS EVENT

In the event that the place where a civil action or a criminal prosecution is required by law to be brought has become and remains unsafe because of an attack upon the United States or Canada or an all-hazards event, such action or prosecution may be brought in or, if already pending, may be transferred to the Superior Court in an unaffected unit and there tried in the place provided by law for such court.

Sec. 32. 20 V.S.A. § 30 is amended to read:

§ 30. STATE EMERGENCY RESPONSE COMMISSION; CREATION

(a) The State Emergency Response Commission is created within the Department of Public Safety. The Commission shall consist of ~~17~~18 members: eight ex officio members, including the Commissioner of Public Safety, the Secretary of Natural Resources, the Secretary of Transportation, the Commissioner of Health, the Secretary of Agriculture, Food and Markets, the Commissioner of Labor, the Director of Fire Safety, and the Director of Emergency Management, or designees; and ~~nine~~ ten public members, including a representative from each of the following: local government, the local emergency planning committee, a regional planning commission, the fire service, law enforcement, public works, emergency medical service, a hospital, a transportation entity required under EPCRA to report chemicals to the State Emergency Response Commission, and another entity required to report extremely hazardous substances under EPCRA.

(b) The ~~nine~~ ten public members shall be appointed ~~by the Governor~~ for staggered three-year terms as described in this subsection.

(1) Three public members, appointed by the Speaker of the House.

(2) Three public members, appointed by the President Pro Tempore of the Senate.

(3) Four public members, appointed by the Governor.

(4) When the seat of a public member is vacated, the replacement member shall be appointed on a rotating basis starting with the Speaker of the House, with the next appointment to be made by the President Pro Tempore of the Senate, and then the next appointment to be made by the Governor, and then beginning again.

(c) The Governor shall appoint the Chair of the Commission.

(e)(d) Members of the Commission, except State employees who are not otherwise compensated as part of their employment and who attend meetings, shall be entitled to a per diem and expenses as provided in 32 V.S.A. § 1010.

Sec. 33. 20 V.S.A. § 34 is amended to read:

§ 34. TEMPORARY HOUSING FOR DISASTER VICTIMS

(a) Whenever the Governor ~~has proclaimed a disaster~~ declares an emergency under the laws of this State, or the President has declared an emergency or a major disaster an all-hazards event to exist in this State, the Governor is authorized:

(1) To enter into purchase, lease, or other arrangements with any agency of the United States for temporary housing units to be occupied by disaster victims and to make such units available to any political subdivision of the State.

(2) To assist any political subdivision of this State that is the locus of temporary housing for disaster victims to acquire sites necessary for the temporary housing and ~~to do all things required~~ to prepare the site to receive and utilize temporary housing units by:

(A) advancing or lending funds available to the Governor from any appropriation made by the General Assembly or from any other source;

(B) “passing through” funds made available by any agency, public or private; or

(C) becoming a co-partner with the political subdivision for the execution and performance of any temporary housing for disaster victims project and for such purposes to pledge the credit of the State on such terms as the Governor deems appropriate having due regard for current debt transactions of the State.

(b) ~~Under rules adopted by the Governor, to~~ During a declared state of emergency, the Governor may, by order or rule, temporarily suspend or modify for not more than 60 days any law or rule pertaining to public health, safety, zoning, or transportation (within or across the State), or other requirement of law or rules within Vermont when by proclamation if, the Governor deems the suspension or modification essential to provide temporary housing for disaster victims.

(c) Any political subdivision of this State is expressly authorized to acquire, temporarily or permanently, by purchase, lease, or otherwise, sites required for installation of temporary housing units for disaster victims, and to enter into

whatever arrangements are necessary to prepare or equip such sites to utilize the housing units, including the purchase of temporary housing units and payment of transportation charges.

(d) ~~The Governor is authorized to adopt rules as necessary to carry out the purposes of this chapter. [Repealed.]~~

(e) Nothing in this chapter shall be construed to limit the Governor's authority to apply for, administer, and expend any grants, gifts, or payments in aid of disaster prevention, preparedness, response, or recovery.

(f) ~~As used in this chapter, "major disaster," "emergency," and "temporary housing" have the same meaning as in the Disaster Relief Act of 1974, P.L. 93-288. [Repealed.]~~

Sec. 34. 20 V.S.A. § 39 is amended to read:

§ 39. FEES TO THE HAZARDOUS SUBSTANCES FUND

(a) Every person required to report the use or storage of hazardous chemicals or substances pursuant to EPCRA shall pay the following annual fees for each hazardous chemical or substance, as defined by the State Emergency Response Commission, that is present at the facility:

- (1) \$40.00 for quantities between 100 and 999 pounds.*
- (2) \$60.00 for quantities between 1,000 and 9,999 pounds.*
- (3) \$100.00 for quantities between 10,000 and 99,999 pounds.*
- (4) \$290.00 for quantities between 100,000 and 999,999 pounds.*
- (5) \$880.00 for quantities exceeding 999,999 pounds.*

(6) An additional fee of \$250.00 will be assessed for each extremely hazardous chemical or substance as defined in 42 U.S.C. § 11002.

(b) The fee shall be paid to the Commissioner of Public Safety and shall be deposited into the Hazardous Chemical and Substance Emergency Response Fund.

(c) The following are exempted from paying the fees required by this section but shall comply with the reporting requirements of this chapter:

- (1) municipalities and other political subdivisions;*
- (2) State agencies;*
- (3) persons engaged in farming as defined in 10 V.S.A. § 6001; and*
- (4) nonprofit corporations.*

(d) No person shall be required to pay a fee for a chemical or substance

that has been determined to be an economic poison as defined in 6 V.S.A. § 911 or for a fertilizer or agricultural lime as defined in 6 V.S.A. § 363 and for which a registration or tonnage fee has been paid to the Agency of Agriculture, Food and Markets pursuant to 6 V.S.A. chapter 28 or 81.

(e) The State or any political subdivision, including any municipality, fire district, emergency medical service, or incorporated village, is authorized to recover any and all reasonable direct expenses incurred as a result of the response to and recovery of a hazardous chemical or substance incident from the person or persons responsible for the incident. All funds collected by the State under this subsection shall be deposited into the Hazardous Chemical and Substance Emergency Response Fund created pursuant to subsection 38(b) of this chapter. The Attorney General shall act on behalf of the State to recover these expenses. The State or political subdivision shall be awarded costs and reasonable attorney's fees that are incurred as a result of exercising the provisions of this subsection.

(f)(1) The Department of Public Safety shall have authority to inspect the premises and records of any employer to ensure compliance with the provisions of this chapter and the rules adopted under this chapter.

(2) A person who violates any provision of this chapter or any rule adopted under this chapter shall be fined not more than \$1,000.00 for each violation. Each day a violation continues shall be deemed to be a separate violation.

(3) The Attorney General may bring an action for injunctive relief in the Superior Court of the county in which a violation occurs to compel compliance with the provisions of this chapter.

Sec. 35. REPEAL

20 V.S.A. § 40 (enforcement) is repealed.

~~**** Continuing Local Economic Damage Grant Program and Emergency Relief and Assistance Fund ****~~

Sec. 36. CONTINUING LOCAL ECONOMIC DAMAGE GRANT PROGRAM FOR RECOVERY FROM THE AUGUST AND DECEMBER 2023 FLOODS; APPROPRIATION

~~*(a) Program established. There is established the Continuing Local Economic Damage Grant Program to provide support to municipalities that were impacted by the August 2023 or December 2023 flooding events, or both, and are located in counties that are eligible for Federal Emergency Management Agency (FEMA) Public Assistance funds under federal disaster declarations. It is the intent of the General Assembly that the Continuing*~~

~~Local Economic Damage Grants be distributed to municipalities throughout the State to address the secondary economic impacts of the August and December 2023 flooding events.~~

~~(b) Appropriation. In fiscal year 2025, the amount of \$200,000.00 is appropriated from the General Fund to the Agency of Administration for the Continuing Local Economic Damage Grant Program.~~

~~(c) Administration; grant awards. The Agency of Administration shall administer the Program, which shall award grants in the following manner:~~

~~(1) \$75,000.00 to each municipality that as of March 1, 2024 had \$5,000,000.00 or more in estimated reported damages to public infrastructure relating to the August 2023 or December 2023 flooding events, or both;~~

~~(2) \$50,000.00 to each municipality that as of March 1, 2024 had \$2,000,000.00 or more but less than \$5,000,000.00 in estimated reported damages to public infrastructure relating to the August 2023 or December 2023 flooding events, or both;~~

~~(3) \$30,000.00 to each municipality that as of March 1, 2024 had \$1,000,000.00 or more but less than \$2,000,000.00 in estimated reported damages to public infrastructure relating to the August 2023 or December 2023 flooding events, or both;~~

~~(4) \$20,000.00 to each municipality that as of March 1, 2024 had \$250,000.00 or more but less than \$1,000,000.00 in estimated reported damages to public infrastructure relating to the August 2023 or December 2023 flooding events, or both; and~~

~~(5) \$10,000.00 to each municipality that as of March 1, 2024 had \$100,000.00 or more but less than \$250,000.00 in estimated reported damages to public infrastructure relating to the August 2023 or December 2023 flooding events, or both~~

~~(d) Restrictions on recipients' use of grant funds. Monies from grants awarded through the Program shall not be expended by the recipient on FEMA-related projects.~~

~~(e) To the extent that the funds appropriated in subsection (b) of this section have not been granted by June 30, 2025, the funds shall revert to the General Fund and be transferred to the Emergency Relief and Assistance Fund (21555).~~

Sec. 36. [Deleted.]

~~Sec. 37. EMERGENCY RELIEF AND ASSISTANCE FUND~~

~~FOR RECOVERY FROM THE AUGUST AND DECEMBER 2023~~

~~FLOODS, TRANSFER~~

~~(a) Notwithstanding any other provisions of law to the contrary, \$830,000.00 shall be transferred from the General Fund to the Emergency Relief and Assistance Fund (21555).~~

~~(b) Notwithstanding Sec. 1.4.3 of the Rules for State Matching Funds Under the Federal Public Assistance Program, in fiscal year 2025, the Secretary of Administration may provide funding from the Emergency Relief and Assistance Fund that was transferred pursuant to subsection (a) of this section to subgrantees prior to the completion of a project. In fiscal year 2025, up to 70 percent of the State funding match on the nonfederal share of an approved project for municipalities that were impacted by the August and December 2023 flooding events in counties that are eligible for Federal Emergency Management Agency Public Assistance funds under federal disaster declarations may be advanced at the request of a municipality.~~

~~(c) Notwithstanding Sec. 1.4.1 of the Rules for State Matching Funds Under the Federal Public Assistance Program, the Secretary of Administration shall increase the standard State funding match on the nonfederal share of an approved project to the highest percentage possible given available funding for municipalities in counties that were impacted by the August and December 2023 flooding events and are eligible for Federal Emergency Management Agency Public Assistance funds under federal disaster declarations.~~

Sec. 37. [Deleted.]

* * * Effective Dates * * *

Sec. 38. EFFECTIVE DATES

This act shall take effect on July 1, 2024, except that Sec. 21 (20 V.S.A. § 4) shall take effect on July 1, 2025.