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H.839

**Senator Wrenner’s proposed amendments to the relevant House-passed sections are highlighted in yellow**

Senator Wrenner moves that the Senate propose to the House that the bill be amended as follows:

First: By striking out Sec. 48 in its entirety and by inserting in lieu thereof a new Sec. 48 to read as follows:

Sec. 48. 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by 2023 Acts and Resolves No. 78, Sec. C.115, is further amended to read:

Sec. B.1100 FISCAL YEAR 2023 ONE-TIME GENERAL FUND  
APPROPRIATIONS

\* \* \*

(b) \$11,000,000 is appropriated from the General Fund to the Department of Public Safety for regional dispatch funding. The funds are subject to the following conditions:

(1) Up to \$1,000,000 shall be available for the retention of technical experts to assist the Public Safety Communications Task Force with the analysis and planning required by ~~Sec. C.112 of this act~~ 2023 Acts and Resolves No. 78, Sec. C.114 and to fund the administrative expenses incurred by the Public Safety Communications Task Force. If the Task Force determines ~~in calendar year 2023~~ that additional funding is necessary to achieve its purposes, it may submit a request to the Joint Fiscal Committee.

1 The Joint Fiscal Committee is authorized to approve up to an additional  
2 \$1,000,000.

3 (2) Up to \$4,500,000 shall be available to provide funding for pilot  
4 projects pursuant to ~~Sec. C.112(f), of this act~~ 2023 Acts and Resolves No. 78,  
5 Sec. C.114(f).

6 (3) Any remaining amounts not obligated pursuant to subdivisions  
7 (1) and (2) of this subsection (b) shall ~~be held in reserve~~ remain unobligated  
8 and unexpended until approval to expend the funds is authorized by further  
9 enactment of the General Assembly.

10 (4) ~~It is the intent of the General Assembly that the Department of~~  
11 ~~Public Safety~~ In order to extract the greatest value from the limited State and  
12 federal dollars currently available for public safety communications  
13 modernization, it is the intent of the General Assembly that all such funding is  
14 expended in an efficient and complementary manner. To that end, the  
15 Commissioner of Public Safety shall seek to draw and deploy the \$9,000,000  
16 in Congressionally Directed Spending to support Vermont’s transition to a  
17 modernized, regional communications network in a manner that coordinates  
18 with and advances, to the greatest extent possible, the goals of a statewide  
19 public safety communications system developed by the Public Safety  
20 Communications Task Force. The Commissioner of Public Safety shall  
21 ~~consult with~~ promptly inform the Public Safety Communications Task Force as

1 ~~the~~ federal parameters for expending the funds become available and as the  
2 Commissioner develops a and, if necessary, revises the plan to expend such  
3 funds. The Commissioner shall solicit recommendations from the Task Force  
4 regarding the plan, including any revisions to the plan, the implementation  
5 schedule, and specific expenditures Expenditures of the funds must be  
6 authorized by the Task Force. The Task Force shall only authorize an  
7 expenditure upon making a determination that such expenditure is in  
8 accordance with completed plans for the transition to statewide regional  
9 emergency communications and in a manner that ensures usefulness and  
10 integration with any not-yet completed plans required by 2023 Acts and  
11 Resolves No. 78, Sec. C.114. In addition, the Commissioner shall update the  
12 Joint Fiscal Committee on planned expenditures.

13 \* \* \*

14 Second: By striking out Sec. 49 in its entirety and by inserting in lieu  
15 thereof a new Sec. 49 to read as follows:

16 Sec. C.114 PUBLIC SAFETY COMMUNICATIONS SYSTEM;  
17 DISPATCH; INVENTORY; DESIGN

18 (a) The General Assembly finds that protecting public safety and welfare is  
19 an essential function of State government and it is in the public interest to  
20 establish a statewide reliable, secure, and interoperable public safety  
21 communications system, comprising integrated 911 call-taking and regional

1 dispatch systems, and to ensure that the system is equitably and sustainably  
2 financed and universally accessible by all persons throughout the State.

3 (b) It is not the intent of the General Assembly to establish a public safety  
4 communications system that disrupts or in any way jeopardizes the exceptional  
5 dispatch services currently in place or the existing 911 system, but rather to  
6 support, enhance, strengthen, and build upon those efforts and initiatives.

7 (c) The transition to a public safety communications system as specified in  
8 subsection (a) of this section shall be overseen and managed by the temporary  
9 Public Safety Communications Task Force established in subsection (d) of this  
10 section.

11 (d)(1) There is established a Public Safety Communications Task Force to  
12 oversee and manage all phases of the development, design, and  
13 implementation of a statewide public safety communications system as  
14 required by this section.

15 (2) The Task Force shall consist of ~~seven~~ 11 members as follows:

16 (A) the Executive Director of the Enhanced 911 Board, ~~who shall~~  
17 ~~serve as Co-Chair or designee;~~

18 (B) the Commissioner of Public Safety or designee, ~~who shall serve~~  
19 ~~as Co-Chair;~~

20 (C) ~~one~~ two municipal ~~official~~ officials appointed by the Executive  
21 Director of the Vermont League of Cities and Towns;

1 (D) one representative from a public safety answering point overseen  
2 by a municipal police department appointed by the Vermont Association of  
3 Chiefs of Police;

4 (E) one emergency medical technician or paramedic appointed by the  
5 Vermont State Ambulance Association;

6 (F) one firefighter appointed by the Vermont State Firefighters’  
7 Association; and

8 (G) the Chair of the Regional Dispatch Working Group established  
9 by the General Assembly in 2022 Acts and Resolves No. 185;

10 (H) one sheriff appointed by the Vermont Sheriffs’ Association;

11 (I) one regional emergency planner appointed by the Vermont  
12 Association of Planning and Development Agencies; and

13 (J) one representative appointed by the Vermont Communications  
14 Union District Association.

15 (3) At its initial organizational meeting as an 11-member Task Force the  
16 Task Force shall elect from among its members a chair and a vice chair.  
17 Meetings may be held at the call of a Co-Chair the Chair or at the request of  
18 two members. A majority of sitting members shall constitute a quorum, and  
19 action taken by the Task Force may be authorized by a majority of the  
20 members present and voting. Except for those members regularly employed  
21 by the State, members are entitled to a per diem in the amount of \$150 for each

1 day spent in the performance of their duties. All members, including members  
2 otherwise regularly employed by the State, shall receive their actual and  
3 necessary expenses when away from home or office upon their official duties  
4 pursuant to this section. A vacancy shall be filled by the respective appointing  
5 authority. If the Chair of the Regional Dispatch Working Group declines to  
6 participate as a member of the Task Force, the Task Force shall appoint one  
7 member who shall have expertise relevant to the purposes of this section.

8 (4) The Task Force is authorized to retain a project program manager  
9 and one or more additional consultants with relevant expertise in public safety  
10 communications technology, design, governance, law, and financing to assist  
11 with the requirements of this section. The program manager shall not be a  
12 direct competitor of the other consultants.

13 (5) The Department of Public Safety shall provide the Task Force with  
14 administrative services and support.

15 (6)(A) The Task Force, in consultation with the Secretary of  
16 Administration, shall develop procedures and best practices for State agency  
17 cooperation and coordination on matters of overlapping jurisdiction. The  
18 primary purpose of this subdivision is to ensure the Task Force has access to  
19 expertise and data related to its mission, including expertise within and data  
20 maintained by the Department of Public Service, the Agency of Digital  
21 Services, the Division of Emergency Preparedness, Response and Injury within

1 the Department of Health, the Department of Taxes, the Agency of  
2 Transportation, the Enhanced 911 Board, and the Department of Public Safety.

3 (B) Nothing in this subdivision shall be construed to waive any  
4 privilege or protection otherwise afforded information by law due solely to the  
5 fact that the information is shared with the Task Force pursuant to this  
6 subdivision.

7 (7) All meetings of the Task Force shall be open to the public and  
8 conducted in accordance with the Vermont Open Meeting Law. All records of  
9 the Task Force are subject to the Vermont Public Records Act.

10 (8) The Task Force shall cease to exist when a State entity authorized by  
11 legislative enactment to permanently oversee and manage the public safety  
12 communications system becomes operational.

13 (e) The establishment of a statewide public safety communications system  
14 shall occur in essentially three phases, which include data collection and  
15 analysis, design, and implementation. Certain aspects of each phase may occur  
16 simultaneously as deemed appropriate by the Task Force.

17 (1) Data collection and analysis. On or before ~~September 15, 2024~~ May  
18 15, 2025, the Task Force shall conduct a complete inventory and assessment of  
19 all aspects of dispatch service currently provided in Vermont and, ~~to the extent~~  
20 possible, dispatch service currently provided outside Vermont for response  
21 agencies located in Vermont, which shall include:

1           (A) an inventory of all existing dispatch infrastructure and  
2 equipment, including facilities, hardware, software, applications, and land  
3 mobile radio systems, referring to and incorporating any existing relevant data  
4 collected by a State or municipal entity;

5           (B) the number of full-time and part-time personnel currently  
6 performing dispatch service, taking into account personnel who have other  
7 responsibilities in addition to providing dispatch service;

8           (C) the current total spending on dispatch service in Vermont that  
9 includes and itemizes for each municipality and dispatch center all federal,  
10 State, and municipal appropriations and fees, every contract for dispatch or  
11 first responder service, and projected budgets;

12           (D) identification of the communications dead zones in the State,  
13 meaning those areas that lack the infrastructure to support public safety land-  
14 mobile-radio communications or cellular voice and data service, or both, and  
15 taking into consideration all cell towers, including those that are part of the  
16 FirstNet statewide public safety radio access network; cellular mapping efforts  
17 conducted by the Department of Public Service; and any existing, relevant  
18 mapping data collected by a dispatch center or other entity;

19           (E) with the assistance of the Vermont League of Cities and Towns, a  
20 needs assessment to determine where and to what extent there are gaps in  
21 dispatch service or significant challenges to the delivery of dispatch service



1 and to identify those municipalities that are likely to be most affected by either  
2 the curtailment of dispatch service from the two State-run public safety  
3 answering points or from a new financing mechanism for the continuation of  
4 such service;

5 (F) an assessment of the service services provided by each dispatch  
6 center and identification of particular challenges or vulnerabilities, if any,  
7 including with regard to workforce, failover procedures, communications  
8 technology, costs, and governance; and

9 (G) collection and assessment of any other information the Task  
10 Force deems relevant.

11 (2) Design. On or before January 15, 2024 September 15, 2024, the  
12 Task Force shall develop findings and recommendations related to draft  
13 elements of a preliminary design for a public safety communications system,  
14 including identification of a proposed implementation timeline and any  
15 additional data and resources needed to develop a final design on or before  
16 December 15, 2024 September 15, 2025. The final design shall include:

17 (A) technical and operational standards and protocols that ensure an  
18 interoperable and resilient system that incorporates computer-aided dispatch  
19 systems and land mobile radios;

20 (B) technology life-cycle standards to ensure system and database  
21 upgrades are timely, sufficiently financed, and properly managed;

1 (C) system and database security and cybersecurity standards;

2 (D) continuity of operations standards and best practices that  
3 encompass failover procedures and other system redundancies to ensure the  
4 continuous performance of mission-critical operations;

5 (E) workforce training standards and other staffing best practices that  
6 support the retention and well-being of dispatch personnel;

7 (F) a resource allocation plan that ensures dispatch service is  
8 available in all regions of the State, including the establishment of new  
9 dispatch centers or expanded capacity and capability of existing dispatch  
10 centers, if deemed appropriate by the Task Force;

11 (G) a process for annually reviewing the budgets of dispatch centers;

12 (H) a recommended governance model to ensure effective State and  
13 regional oversight, management, and continuous improvement of the system,  
14 including identification of staffing or operational needs to support such  
15 oversight and management of the system;

16 (I) cost estimates for implementing the system in Vermont, including  
17 operational and capital costs;

18 (J) options for sustainably and equitably structuring the financing of  
19 the public safety communications system, taking into consideration:

20 (i) existing budgets for regional and local dispatch;

1                   (ii) the population, grand list, and call volume of each  
2 municipality;

3                   (iii) existing and potential State funding streams;

4                   (iv) available federal funding opportunities for public safety  
5 agencies and emergency communications systems, including equipment,  
6 network infrastructure, and services;

7                   (v) financing models adopted in other jurisdictions for public  
8 safety communications systems; and

9                   (vi) any other standards or procedures deemed necessary or  
10 appropriate by the Task Force.

11           (f)(1) If the Task Force determines that sufficient minimum technical and  
12 operational standards have been developed to warrant the funding of one or  
13 more pilot projects, the Task Force may submit for approval a pilot project  
14 plan to the Joint Fiscal Committee ~~in calendar year 2023~~ **in calendar year 2024**.

15           (2) Pilot projects eligible for funding under this subsection may include  
16 new regional dispatch centers or expanded capacity at existing regional  
17 dispatch centers, provided the Task Force determines the pilot demonstrates  
18 project readiness and is otherwise consistent with the standards and purposes  
19 of this section.

1           (3) In evaluating proposed pilot projects, the Task Force shall give a  
2 high priority to projects in geographical areas of the State that presently face  
3 significant challenges with respect to reliably providing dispatch service.

4           (4) The pilot project plan shall include a description of each proposed  
5 project, the resources needed, and an explanation of how the project will align  
6 with, inform, and further the development of a statewide public safety  
7 communications system and ensure transparency and accountability  
8 particularly with respect to the expenditure of State funds pursuant to this  
9 subsection.

10          (5) The Joint Fiscal Committee is authorized to approve up to  
11 \$4,500,000.00 in total for pilot projects authorized by this subsection.

12          (g) On or before ~~January 15, 2024~~ September 14, 2024, the Task Force  
13 shall submit a progress report on the data collection and analysis required by  
14 subdivision (e)(1) of this section, the findings and recommendations required  
15 by subdivision (e)(2) of this section, and a description and status report of any  
16 pilot projects funded pursuant to subsection (f) of this section in a written  
17 report to the Senate Committees on Government Operations and on Finance  
18 and the House Committees on Government Operations and Military Affairs, on  
19 Ways and Means, and on Environment and Energy. On or before ~~December~~  
20 15, 2024 September 15, 2025, the Task Force shall submit to the same

1 legislative committees a written report containing its final design plan as  
2 required by subdivision (e)(2) of this section.

3 (h) All activities described in this section are “information technology  
4 activities” as defined in 3 V.S.A. § 3301(b)(2) and, as such, are subject to the  
5 record keeping, strategic planning, and independent expert review  
6 requirements specified in 3 V.S.A. § 3303(b)-(c).