

H.397

Introduced by Representatives Waszazak of Barre City, Galfetti of Barre
Town, Bos-Lun of Westminster, Boutin of Barre City, Boyden
of Cambridge, Brown of Richmond, Burke of Brattleboro,
Burkhardt of South Burlington, Burrows of West Windsor,
Burt of Cabot, Campbell of St. Johnsbury, Canfield of Fair
Haven, Carris-Duncan of Whitingham, Casey of Montpelier,
Chapin of East Montpelier, Christie of Hartford, Cina of
Burlington, Coffin of Cavendish, Cole of Hartford, Cooper of
Pownal, Cordes of Bristol, Dobrovich of Williamstown, Dodge
of Essex, Eastes of Guilford, Feltus of Lyndon, Goodnow of
Brattleboro, Greer of Bennington, Gregoire of Fairfield, Hango
of Berkshire, Harple of Glover, Headrick of Burlington,
Holcombe of Norwich, Hooper of Randolph, Hunter of
Manchester, Kimbell of Woodstock, Krasnow of South
Burlington, Labor of Morgan, Lalley of Shelburne, LaMont of
Morristown, Lipsky of Stowe, Logan of Burlington, Masland of
Thetford, McCann of Montpelier, McFaun of Barre Town,
McGill of Bridport, Mihaly of Calais, Morris of Springfield,
Morrow of Weston, Mrowicki of Putney, Nelson of Derby,
Nielsen of Brandon, Noyes of Wolcott, Nugent of South

1 Burlington, O'Brien of Tunbridge, Ode of Burlington, Olson of
2 Starksboro, Pezzo of Colchester, Pouech of Hinesburg, Priestley
3 of Bradford, Pritchard of Pawlet, Quimby of Lyndon, Stevens
4 of Waterbury, Sweeney of Shelburne, Tagliavia of Corinth,
5 Torre of Moretown, Wells of Brownington, White of Waitsfield,
6 White of Bethel, Winter of Ludlow, Wood of Waterbury, and
7 Yacovone of Morristown

8 Referred to Committee on

9 Date:

10 Subject: Internal security and public safety; emergency management;

11 miscellaneous amendments relating to flood response and resilience

12 Statement of purpose of bill as introduced: This bill proposes to require the
13 Division of Emergency Management to establish the Statewide Framework for
14 Flood Preparedness, Response, and Recovery; provide assistance to
15 municipalities to develop various plans for flood response and recovery;
16 provide financial assistance to municipalities for flood recovery; coordinate
17 with the Agency of Commerce and Community Development to develop
18 programs for voluntary buyouts and homeowner assistance in flood-prone
19 areas; and develop emergency and severe weather alert systems for use by
20 municipal governments. This bill also proposes to require the Agency of
21 Transportation to provide technical and financial support for municipal flood

1 resiliency and response programs that affect town highways. This bill also
2 proposes to require the Agency of Natural Resources to operate and support
3 flood mitigation and resiliency programs that relate to surface waters, river
4 corridors, and the creation of floodways. This bill further proposes to create
5 positions within the Division of Emergency Management to support
6 municipalities with grant applications and the engineering of flood mitigation
7 and resiliency projects. Finally, this bill proposes to require the Department of
8 Buildings and General Services to transfer a parcel of State property to the
9 Town of Waterbury after completing the creation of an extended floodway on
10 the property.

11 An act relating to miscellaneous amendments to the statutes governing
12 emergency management and flood response

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

14 ~~Sec. 1. 20 V.S.A. § 3a is amended to read:~~

15 § 3a. EMERGENCY MANAGEMENT DIVISION; DUTIES; BUDGET

16 (a) In addition to other duties required by law, the Division of Emergency
17 Management shall:

18 * * *

19 (3) In collaboration with the Chief Recovery Officer and in consultation
20 with the Vermont League of Cities and Towns and Vermont's long-term

1 ~~recovery groups, shall adopt and periodically revise the Statewide Framework~~
2 for Flood Preparedness, Response, and Recovery. The Statewide Framework
3 shall define the roles and duties of the State, municipalities, long-term
4 recovery groups, and regional planning commissions for flood preparedness,
5 response, and recovery. The Division shall notify municipalities of any
6 amendments to the Framework and shall distribute copies of the amended
7 Framework upon the request of a municipality.

8 (4) In collaboration with the Chief Recovery Officer, offer financial and
9 technical assistance to municipalities to develop and implement:

10 (A) emergency parking plans for flood-prone areas within a
11 municipality;

12 (B) emergency shelter plans for municipal residents displaced by
13 flooding, including the designation and notice of shelter locations and adopted
14 plans for the distribution of food and water to displaced residents;

15 (C) municipal plans and systems to ensure that vulnerable
16 populations, including aging populations and individuals with disabilities,
17 within the municipality are contacted and visited to ensure their safety and
18 wellness during a flood emergency;

19 (D) emergency notification systems to provide real-time alerts to
20 residents, which shall utilize multichannel communication systems, and

1 ~~(E) training to support the officers and staff that municipalities are~~
2 required to maintain following a disaster, including individual assistance
3 coordinators and disaster waste coordinators.

4 * * *

5 Sec. 2. 20 V.S.A. § 3b is added to read:

6 § 3b. FINANCIAL ASSISTANCE FOR IMPACTED MUNICIPALITIES

7 (a) A municipality that has been impacted by an all-hazard flooding event
8 shall be eligible for financial assistance from Vermont Emergency
9 Management to cover expenses incurred by the all-hazard while awaiting
10 reimbursement from the Federal Emergency Management Agency, including:

- 11 (1) emergency response costs;
12 (2) temporary housing and shelter services; and
13 (3) local infrastructure repairs that are necessary to maintain public
14 safety.

15 (b) A municipality that has been impacted by an all-hazard flooding event
16 shall be eligible for State funding to cover all of the local match requirements
17 required by federal law or the Federal Emergency Management Agency for
18 flood recovery and assistance.

19 Sec. 3. 20 V.S.A. § 51 is added to read:

20 § 51. FLOOD-PRONE PROPERTIES, ASSISTANCE PROGRAMS

1 ~~(a) Voluntary Buyout Program. The Division of Emergency Management~~
2 and the Agency of Commerce and Community Development shall establish
3 and maintain the Voluntary Buyout Program for flood-prone properties. The
4 Program shall allow a municipality, at the request of the owner of a flood-
5 prone property, to apply for funding to cover the purchase price of the
6 property. The purchase price shall be the full fair market value of the flood-
7 prone property.

8 (b) Homeowner Assistance Program. The Division of Emergency
9 Management and the Agency of Commerce and Community Development
10 shall establish and maintain the Homeowner Assistance Program to provide
11 financial support to the owners of residential properties for:

12 (1) construction projects to elevate a residential building in flood-prone
13 areas to mitigate future risk of damage;

14 (2) relocation to other permanent housing in response to flood damage;
15 and

16 (3) the rebuilding of residential building using flood-resilient materials
17 or designs, including floodproof foundations and water-resistant construction.

18 Sec. 4. 19 V.S.A. § 306 is amended to read:

19 § 306. APPROPRIATION; STATE AID FOR TOWN HIGHWAYS

20 * * *

21 ~~(i) Municipal Mitigation Assistance Program.~~

1 ~~(1) The Agency shall administer the Municipal Mitigation Assistance~~

2 Program. Through the Program, the Agency shall:

3 ~~(A) provide assistance and grants to municipalities for environmental~~
4 ~~mitigation projects related to stormwater and highways and for the~~
5 ~~establishment and operation of stormwater utilities; and~~

6 ~~(B) provide funding for rural and flood-prone municipalities to:~~

7 ~~(i) upgrade infrastructure, including improvements to town~~
8 ~~highways, bridges, and culverts, to increase the capacity of town highway~~
9 ~~infrastructure to handle high-volume water flow; and~~

10 ~~(ii) create and maintain emergency access routes for use during an~~
11 ~~all-hazard event, as defined by 20 V.S.A. chapter 1.~~

12 ~~(2) Municipalities shall match grants with local funds sufficient to cover~~
13 ~~20 percent of the project costs, except that the Agency may issue grants for the~~
14 ~~establishment or operation of stormwater utilities without requiring a local~~
15 ~~match.~~

16 ~~(3) From the operating expenses appropriated for the Program, the~~
17 ~~Agency is authorized to pay costs billed to the Agency by municipal~~
18 ~~stormwater utilities.~~

19

1 ~~Sec. 5-10 V.S.A. § 320 is added to read:~~

2 § 320. AGENCY SUPPORT FOR CERTAIN TOWN HIGHWAY

3 PROJECTS

4 (a) Design of stormwater management systems. The Agency shall provide
5 technical assistance to municipalities for the design of upgrades for stormwater
6 management systems affecting town highways, including the design of larger
7 culverts, reinforced ditches, drainage systems, and any other stormwater
8 management system that is capable of managing increased water flow due to
9 severe weather events.

10 (b) Technical assistance for specialized improvements. The Agency shall
11 provide technical assistance to municipalities for specialized flood resiliency
12 projects, including the alteration of bridges in flood-prone areas and the
13 removal of dams that pose a significant risk to surrounding communities.

14 (c) Technical assistance for town highway improvements. The Agency
15 shall offer technical assistance to municipalities for:

16 (1) roadwork and infrastructure adaptations for severe weather events;

17 and

18 (2) identifying and applying for federal, State, and regional grants to
19 support local infrastructure projects.

20 (d) Asset Management System. The Agency shall create and maintain the
21 Asset Management System to track.

1 (1) availability of equipment that may be used to respond to an all-

2 hazard flood event, including vehicles, water pumps, and sandbags;

3 (2) equipment operators and personnel that are trained for disaster
4 management and response; and

5 (3) locations of critical resources for efficient deployment of those
6 resources during an emergency.

7 (e) Provision of flood response fleet vehicles. The Agency shall procure
8 and maintain a fleet of heavy machinery, including vector trucks, necessary to
9 assist municipalities with debris removal from flood-impacted areas and the
10 maintenance of stormwater and flood mitigation systems to prevent future
11 damage. The fleet of heavy machinery shall be stored and maintained
12 regionally throughout the State.

13 Sec. 6. 10 V.S.A. § 1007 is added to read:

14 § 1007. AGENCY DUTIES; FLOOD RESILIENCY AND STREAM FLOW
15 PROJECTS

16 The Agency of Natural Resources shall establish a program to implement
17 and improve stream flow projects in response to flood risks, including:

18 (1) the clearing debris from surface waters to prevent the blockage of
19 waterways, flood plains, or other flood resiliency systems;

20 (2) the restoration of degraded flood-retention systems and reservoirs to
21 their original specifications,

1 ~~(3) the alteration of rivers or river beds to mitigate flood risk; and~~

2 (4) the permitting of alternative, cost-effective flood mitigation
3 solutions to allow for expedited project implementation.

4 Sec. 7. 10 U.S.A. § 1429 is added to read:

5 § 1429. AGENCY DUTIES; FLOOD RESILIENCY AND RIVER
6 CORRIDOR NATURALIZATION PROJECTS

7 The Agency of Natural Resources shall establish a program to designate
8 areas at risk of severe flooding and create floodways within portions of those
9 designated areas to mitigate the damage caused by severe flooding. Through
10 the program, the Agency shall also support riverbank naturalization projects to
11 enhance ecological resilience, reduce erosion, and improve flood mitigation
12 within designated areas.

13 Sec. 8. DIVISION OF EMERGENCY MANAGEMENT; POSITIONS;
14 APPROPRIATION

15 (a) The following positions are created in the Division of Emergency
16 Management:

17 (1) one full-time, exempt Municipal Grant Liaison; and
18 (2) one full-time, exempt Flood Mitigation Technician.

19 (b) The Municipal Grant Liaison shall be dedicated to grant research, grant
20 applications support, coordination between municipal corporations and the
21 Federal Emergency Management Agency, and direct assistance to municipal

1 ~~corporations for the acquisition of grants and other funding sources for flood~~
2 relief and recovery efforts. The Flood Mitigation Technician shall be
3 dedicated to providing or supporting engineering analyses for flood mitigation
4 projects, oversight of municipal flood remediation and recovery projects, and
5 managing technical assistance to municipal corporations for flood recovery.

6 (c) There is appropriated to the Department of Public Safety from the
7 General Fund in fiscal year 2026 the sum of \$225,000.00 to support the two
8 positions created in this section.

9 Sec. 9. DIVISION OF EMERGENCY MANAGEMENT; FLOOD AND
10 WEATHER ALERT SYSTEMS FOR MUNICIPAL
11 CORPORATIONS

12 (a) The Division of Emergency Management shall develop flood alert
13 systems for municipal corporations that have a population of not more than
14 2,000 residents. At a minimum, the Division shall make the following
15 available to qualifying municipalities:

16 (1) surface water flood monitoring devices, which shall automatically
17 trigger notification systems for emergency services providers and residents;
18 and

19 (2) alert systems that are integrated with a statewide weather alert
20 system for real-time updates during severe weather events.

(b) ~~The Division shall also develop and implement a statewide enhanced~~
weather alert system, which shall:

- (1) predict local and regional conditions using advanced modeling; and
- (2) issue real-time warnings for flooding, blizzards, and ice storms
through multiple communication channels.

Sec. 10. DEPARTMENT OF BUILDINGS AND GENERAL SERVICES;

TRANSFER OF RANDALL MEADOW PROPERTY IN THE
TOWN OF WATERBURY

On or before July 1, 2026, the Department of Buildings and General
Services shall finalize a transfer of State-owned real property in the Town of
Waterbury referred to as the "Randall Meadow." The Department shall grant
the Town the ability to either acquire ownership of the property or an option to
purchase the property, which shall remain available for a period of ten years.
The Department shall transfer this property to the Town of Waterbury. The
Town may use the property for future flood-resilient redevelopment. Prior to
completing the transfer, the Department shall contract for engineering and
other necessary services to create a higher volume floodway within the bounds
of the property.

Sec. 11. DIVISION OF EMERGENCY MANAGEMENT; STATE

~~STAKEHOLDERS, NEEDS ASSESSMENT, REPORT~~

1 ~~The Division of Emergency Management, Chief Recovery Officer, Agency~~
2 ~~of Commerce and Community Development, Agency of Natural Resources,~~
3 ~~and Agency of Transportation shall conduct a needs assessment to identify any~~
4 ~~additional staffing, resources, technical needs, or authority needed to carry out~~
5 ~~the provisions of this act. On or before December 15, 2025, the Division shall~~
6 ~~submit a written report to the House Committees on Appropriations and on~~
7 ~~Government Operations and Military Affairs and the Senate Committees on~~
8 ~~Appropriations and on Government Operations containing the needs~~
9 ~~assessments conducted by the State agencies and departments identified in this~~
10 ~~section.~~

11 Sec. 12. EFFECTIVE DATE

12 ~~This act shall take effect on July 1, 2025.~~

** * * Division of Emergency Management Plans and Reports * * **

Sec. 1. 20 V.S.A. § 3a is amended to read:

§ 3a. EMERGENCY MANAGEMENT DIVISION; DUTIES; BUDGET

(a) In addition to other duties required by law, the Division of Emergency Management shall:

** * **

(3) Annually on or before the last legislative day in January, provide an update and presentation to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations

~~concerning all action items in the all-hazards mitigation plan required by
subdivision (1) of this subsection.~~

~~(4) Provide assistance to municipalities to develop and implement the
components of the Statewide Emergency Management Plan described in
subdivision 41(4) of this chapter.~~

* * *

~~Sec. 2. 20 V.S.A. § 41 is amended to read:~~

~~§ 41. STATE EMERGENCY MANAGEMENT PLAN~~

~~The Department of Public Safety's Vermont Emergency Management
Division, in collaboration with the Chief Recovery Officer and in consultation
with regional planning commissions, the Vermont League of Cities and Towns,
and Vermont's long-term recovery groups, shall create, and republish as
needed, but not less than every five years, a comprehensive State Emergency
Management Plan. The Plan shall:~~

~~(1) 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;~~

~~(2) 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;~~

~~(3) include templates and guidance for regional emergency management and for local emergency plans that support municipalities in their respective emergency management planning; and~~

~~(4) provide a framework for municipalities to develop and implement:~~

~~(A) emergency parking plans for areas within a municipality affected by an all-hazard event;~~

~~(B) municipal plans and systems to ensure that vulnerable populations, including aging populations and individuals with disabilities, within the municipality are contacted and visited to ensure their safety and wellness during an all-hazard event;~~

~~(B) municipal plans and systems developed in collaboration with the Agency of Human Services, to ensure that vulnerable populations, including older Vermonters and individuals with disabilities within the municipality are contacted and visited to ensure their safety and wellness during an all-hazard event;~~

~~(C) emergency notification systems to provide real-time alerts to residents, which shall utilize multichannel communication systems, and~~

~~(D) training to support the officers and staff that municipalities are required to maintain following an all-hazard event, including individual assistance coordinators and disaster waste coordinators.~~

~~*** Voluntary Buyout Program and Voluntary Buyout Reimbursement~~

~~Program ***~~

~~Sec. 3. 20 V.S.A. § 51 is added to read:~~

~~§ 51. FLOOD-PRONE PROPERTIES; VOLUNTARY BUYOUT~~

~~PROGRAM~~

~~The Division of Emergency Management and the Agency of Commerce and Community Development shall establish and maintain the Voluntary Buyout Program for flood-prone properties. The Program shall allow a municipality, at the request of the owner of a flood-prone property, to apply for funding to cover the purchase price of the property. The purchase price shall be the full fair market value of the flood-prone property. The municipality shall maintain the acquired property as open space with a deed restriction or covenant prohibiting development of the property.~~

~~Sec. 4. 22 V.S.A. § 3710 is added to read:~~

~~§ 3710. VOLUNTARY BUYOUT REIMBURSEMENT PROGRAM~~

~~(a) There is established the Voluntary Buyout Reimbursement Program to reimburse municipalities for the value of municipal property taxes associated with the flood-prone properties acquired by a municipality pursuant to 20 V.S.A. § 51 and preserved as public open space with a deed restriction or covenant prohibiting development of the property.~~

~~(b) On or before September 1 of each year, the Commissioner of Public Safety shall certify the properties eligible for the Program to the Commissioner of Taxes along with any other information required by the Commissioner of Taxes. To be eligible for reimbursement under the Program, a municipality must have acquired an eligible property on or after July 1, 2023 and preserved the property as public open space with a deed restriction or covenant prohibiting development of the property. The Commissioner of Public Safety shall first certify properties to the Commissioner of Taxes pursuant to this subsection on or before September 1, 2025.~~

~~(c) The Commissioner of Taxes shall certify the Program payment amounts to the Secretary of Administration. The Secretary shall make an annual payment to each municipality for each eligible property to compensate for the loss of municipal property tax. The payment shall be calculated using the grand list value of the acquired property for the year during which the property was either damaged by flooding or identified as flood-prone by the Commissioner of Public Safety, multiplied by the municipal tax rate, including any submunicipal tax rates, in effect each year. This payment shall be made on or before January 1 of each year for five years.~~

~~(d) If a municipality has received payment for any acquired property under subsection (c) of this section for five consecutive years, it shall be eligible for~~

~~payment for ensuing five-year periods in an amount equal to one-half of the initial annual payment calculated under subsection (c).~~

~~(e) Payments made pursuant to this section shall be paid from the PILOT Special Fund established under section 3709 of this subchapter. Payments shall be disbursed only after all other requirements of subchapter 4 of this chapter are met. If the PILOT Special Fund balance is insufficient to pay the full amount of all payments authorized under this subchapter, then payments calculated under this section and due to each eligible municipality for each property shall be reduced proportionately.~~

~~Sec. 5. VOLUNTARY BUYOUT REIMBURSEMENT PROGRAM;~~

~~TRANSFERS FROM PILOT SPECIAL FUND~~

~~Notwithstanding any provision of 32 V.S.A. § 3709 to the contrary, in fiscal year 2026 the Commissioner of Finance and Management shall transfer from the PILOT Special Fund to the Voluntary Buyout Reimbursement Program \$1,000,000.00 for purposes of the administration of the Program.~~

~~Sec. 4. 32 V.S.A. § 3709 is amended to read:~~

~~§ 3709. PILOT SPECIAL FUND~~

~~(a) There is hereby established a PILOT Special Fund consisting of local option tax revenues paid to the Treasurer pursuant to 24 V.S.A. § 138. This Fund shall be managed by the Commissioner of Taxes pursuant to chapter 7, subchapter 5 of this title. Notwithstanding subdivision 588(5) of this title, an~~

~~interest earned on the Fund shall be retained in the Fund for use in meeting future obligations. The Fund shall be exclusively for payments required under chapter 123, subchapter subchapters 4 and 4C of this title, and for any additional State payments in lieu of taxes for correctional facilities and to the City of Montpelier. The Commissioner of Finance and Management may draw warrants for disbursements from this Fund in anticipation of receipts.~~

~~* * *~~

~~Sec. 5. 32 V.S.A. chapter 123, subchapter 4C is added to read:~~

~~Subchapter 4C. Municipal Grand List Stabilization Program~~

~~§ 3710. MUNICIPAL GRAND LIST STABILIZATION PROGRAM~~

~~(a) There is established the Municipal Grand List Stabilization Program within the Department of Taxes to reimburse municipalities for municipal property taxes assessed under chapter 133 of this title for flood-prone properties acquired by a municipality pursuant to 20 V.S.A. § 51 or a prior voluntary buyout program operated by the Division of Emergency Management.~~

~~(b) On or before September 1 of each year, the Commissioner of Public Safety shall certify to the Commissioner of Taxes the properties eligible for the Municipal Grand List Stabilization Program and shall submit any other information required by the Commissioner of Taxes. To be eligible for~~

~~the Program under this subchapter, a municipality must have acquired an eligible property on or after July 1, 2023 and preserved the property as open space with a deed restriction or covenant prohibiting development of the property. The Commissioner of Public Safety shall first certify properties to the Commissioner of Taxes pursuant to this subsection on or before September 1, 2025.~~

~~(c) Upon notification by the Commissioner of Public Safety, the Commissioner of Taxes shall certify the payment amounts and make an annual payment to each municipality for each eligible property to compensate for the loss of municipal property tax. The payment shall be calculated using the grand list value of the acquired property for the year during which the property was either damaged by flooding or identified as flood-prone by the Commissioner of Public Safety, multiplied by the municipal tax rate, including any submunicipal tax rates, in effect each year. This payment shall be made on or before January 1 of each year for five years.~~

~~(d) A property shall not be eligible for reimbursement payments for more than 10 years. The Commissioner shall make an annual payment for the full amount calculated under subsection (c) of this section for five years. After a municipality has received payments for an eligible property for five consecutive years, the Commissioner shall make an annual payment to the~~

~~municipality for any subsequent year of eligibility in an amount equal to one half of the amount calculated under subsection (c) of this section.~~

~~(e) Payment under this section shall be calculated and issued from the PILOT Special Fund under section 3709 of this title only after all other grants under subchapter 4 of this chapter are calculated and issued. If the PILOT Special Fund balance is insufficient to pay the full amount of all payments authorized under this subchapter, then payments calculated under this section and due to each municipality for each property shall be reduced proportionately.~~

~~* * * Division of Emergency Management; Assistance to Municipalities * * *~~

~~Sec. 6. DIVISION OF EMERGENCY MANAGEMENT, POSITIONS.~~

~~APPROPRIATION~~

~~(a) The following positions are created in the Division of Emergency Management:~~

~~(1) one full-time, exempt Municipal Grant Liaison; and~~

~~(2) one full-time, exempt All-Hazard Mitigation Technician.~~

~~(b) The Municipal Grant Liaison shall be dedicated to grant research, grant applications support, coordination between municipal corporations and the Federal Emergency Management Agency, and direct assistance to municipal corporations for the acquisition of grants and other funding sources for all hazard relief and recovery efforts. The Fiscal All-Hazard Mitigation~~

~~Technician shall be dedicated to providing or supporting engineering analyses for all-hazard mitigation projects, oversight of municipal remediation and recovery projects, and managing technical assistance to municipal corporations for all hazard recovery.~~

Sec. 6. *[Deleted.]*

~~§ 52. DIVISION OF EMERGENCY MANAGEMENT; ALL HAZARD
AND WEATHER ALERT SYSTEMS FOR MUNICIPAL
CORPORATIONS~~

Sec. 7. 20 V.S.A. § 52 is added to read:

§ 52. DIVISION OF EMERGENCY MANAGEMENT; ALL-HAZARD
AND WEATHER ALERT SYSTEMS FOR MUNICIPAL
CORPORATIONS

Upon request of a municipal corporation, the Division of Emergency Management, in collaboration with regional planning commissions and the Vermont League of Cities and Towns, shall assist the municipal corporation with access to and development of the following:

(1) surface water flood monitoring devices, which shall automatically trigger notification systems for emergency services providers and residents;

(2) alert systems that are integrated with a statewide weather alert system for real-time updates during severe weather events; and

~~(3) connection to a statewide enhanced weather alert system that.~~

~~(A) predicts local and regional conditions using advanced modeling;
and~~

~~(B) issues real-time warnings for flooding, blizzards, and ice storms
through multiple communication channels.~~

~~*** Needs Assessment Report ***~~

~~Sec. 8. DIVISION OF EMERGENCY MANAGEMENT; STATE~~

~~STAKEHOLDERS; NEEDS ASSESSMENT; REPORT~~

~~The Division of Emergency Management, Chief Recovery Officer, Agency of
Commerce and Community Development, Agency of Natural Resources, and
Agency of Transportation shall conduct a needs assessment to identify any
additional staffing, resources, technical needs, or authority needed to carry out
the provisions of this act. On or before November 15, 2025, the Division shall
submit a written report to the House Committees on Appropriations and on
Government Operations and Military Affairs and the Senate Committees on
Appropriations and on Government Operations containing the needs
assessments conducted by the State agencies and departments identified in this
section.~~

~~*** Vermont Community Radio Program ***~~

~~Sec. 9. VERMONT COMMUNITY RADIO GRANT PROGRAM~~

~~(a) Findings. The General Assembly finds that.~~

(1) Vermont's seven existing community radio stations currently serve over 200,000 Vermonters, many in rural and underserved areas.

(2) Community radio stations have consistently provided critical information during emergencies, including Tropical Storm Irene, recent severe flooding, and other natural disasters.

(3) These stations operate with small budgets, primarily relying on volunteer staff and listener donations, and are ineligible for federal funding through the Corporation for Public Broadcasting due to their size.

(4) Upcoming FCC-approved stations in Bristol, Richmond-Underhill-Jericho, and Ludlow will expand coverage to nearly all Vermont counties, increasing statewide accessibility to vital community radio services.

(5) Investment in these stations strengthens Vermont's public safety network and promotes civic engagement by providing local, hyper-focused content that commercial and statewide media cannot replicate.

(b) Intent. The intent of this section is to ensure Vermont's community radio stations remain resilient and prepared to serve as lifelines during emergencies while fostering local engagement and preserving Vermont's unique community fabric.

(c) Grant program.

(1) The Vermont Community Radio Grant Program is established to provide one-time funding to community radio stations for the purpose of:

emergency broadcasting;

(B) procuring and installing backup generators; and

(C) enhancing operational sustainability through software improvements and technical training.

(2) The Program shall be administered by the Commissioner of Public Safety or designee in collaboration with the Vermont Association of Broadcasters.

(3) Grants shall be allocated as follows:

(A) up to \$25,000.00 per station for seven active community radio stations; and

(B) up to \$10,000.00 per station for three upcoming stations currently under construction.

(4) To be eligible for a grant under the Program, an applicant shall:

(A) be a nonprofit, noncommercial community radio station licensed in Vermont;

(B) demonstrate a history of providing emergency broadcasting services or show the capacity to provide those services upon funding; and

(C) submit a detailed implementation plan for the proposed use of

grant funding.

~~(d) Report. On or before June 30, 2026, a community radio station that receives a grant under the Program shall provide to the Commissioner of Public Safety a report detailing the:~~

~~(1) use of grant funds, including itemized expenses;~~

~~(2) improvements achieved in emergency readiness and operational capacity; and~~

~~(3) impact on community service and engagement.~~

Sec. 9. [Deleted.]

* * * Municipal Finances and Indebtedness * * *

Sec. 10. 24 V.S.A. 1585 is added to read:

§ 1585. UNASSIGNED FUND BALANCE

Monies from a budget approved by the voters at an annual or special meeting that are not expended by the end of a municipality's fiscal year shall be under the control and direction of the legislative body of the municipality and may be carried forward from year to year as an unassigned fund balance. Unassigned fund balances may be invested and reinvested as are other monies received by a town treasurer and may be expended for any public purpose as established by the legislative body of the municipality.

Sec. 11. 24 V.S.A. § 1790 is added to read:

§ 1790. EMERGENCY BORROWING; ALL-HAZARD EVENT OR STATE OF EMERGENCY

~~The legislative body of a municipality may borrow money in the name of the municipal corporation, by issuance of its notes or orders for the purpose of paying expenses of the municipal corporation or for public improvements associated with an all-hazards event or a declared state of emergency pursuant to 20 V.S.A. chapter 1. The notes or orders shall be for a period of not more than five years or a term not to exceed the reasonably anticipated useful life of the improvements or assets financed by the notes or orders.~~

~~Sec. 12. 24 V.S.A. § 1759 is amended to read:~~

~~§ 1759. DENOMINATIONS; PAYMENTS; INTEREST~~

~~(a)(1) Any bond issued under this subchapter shall draw interest at a rate not to exceed the rate approved by the voters of the municipal corporation in accordance with section 1758 of this title, or if no rate is specified in the vote under that section, at a rate approved by the legislative branch body of the municipal corporation, such the interest to be payable semiannually as determined by the legislative body of the municipal corporation. Such The bonds or bond shall be payable serially, the first payment to be deferred not later than from one to five years after the issuance of the bonds and subsequent principal payments or debt service payments, which include both principal and interest payments, to be continued annually in equal substantially level or diminishing declining amounts, as determined by the legislative body of the~~

~~the date of issue.~~

~~(2) In the case of bonds issued for the purchase or development of a municipal forest, the first payment may be deferred not more than 30 years from the date of issuance thereof of the bond. Thereafter such After any deferral period, the bonds or bond shall be payable annually in equal substantially level or diminishing amounts declining annual debt service as the legislative body of the municipal corporation may determine, so that the entire debt will be paid in not more than 60 years from the date of issue.~~

~~* * *~~

~~(b) General obligation bonds authorized under this subchapter for the purpose of financing the improvement, construction, acquisition, repair, renovation, and replacement of a municipal plant as defined in 30 V.S.A. § 2901 shall be paid serially, the first payment to be deferred not later than from one to five years after the issuance of the bonds, and subsequent principal payments or debt service payments, which include both principal and interest payments, to be continued annually in substantially level or declining amounts, as determined by the legislative body of the municipal corporation, so that the entire debt will be paid over a term equal to the useful life of the financed improvements, but not more than 40 years from the date of issue, and may be~~

~~be arranged to begin 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 bonds are issued, notwithstanding other permissible payment schedules authorized by this section.~~

~~Sec. 12. [Deleted.]~~

~~* * * Dam Drawdown During Emergency Flood Events * * *~~

~~Sec. 13. 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 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~~ the area or areas:~~

~~* * *~~

~~(12) In consultation with the Secretary of Natural Resources or designee, to authorize the Agency to waive applicable permits and restrictions under 10 V.S.A. chapter 47 or the Vermont Water Quality Standards to allow dams within the State to draw down water levels in anticipation of a flood event that is likely to cause substantial damage or injury to persons or~~

~~property. Waivers may only be issued if the Governor, in consultation with the Secretary of Natural Resources or designee, has significant reason to believe doing so will decrease the risk of substantial damage to persons or property within the State. Dam operators operating under a waiver shall be required to make every effort to minimize the environmental impact of a water level drawdown under the authorized waiver.~~

~~*** Local Option Tax; Amount Paid to Municipality ***~~

~~Sec. 13a. 24 V.S.A. § 138 is amended to read:~~

~~§ 138. LOCAL OPTION TAXES~~

~~***~~

~~(c)(1) Any tax imposed under the authority of this section shall be collected and administered by the Department of Taxes, in accordance with State law governing such State tax or taxes and subdivision (2) of this subsection; provided, however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation. Except with respect to taxes collected on the sale of aviation jet fuel, a per-return fee of \$5.96 shall be assessed, ~~70~~ 75 percent of which shall be borne by the municipality, and ~~30~~ 25 percent of which shall be borne by the State to be paid from the PILOT Special Fund. Notwithstanding 32 V.S.A. § 603 or any other provision of law or municipal charter to the contrary, revenue from the fee shall be used to compensate the~~

~~Department for the costs of administering and collecting the local option tax~~
~~and of administering the State appraisal and litigation program established in~~
~~32 V.S.A. § 5413. The fee shall be subject to the provisions of 32 V.S.A. § 605.~~

~~* * *~~

~~(d)(1) Except as provided in subsection (c) of this section and subdivision~~
~~(2) of this subsection with respect to taxes collected on the sale of aviation jet~~
~~fuel, of the taxes collected under this section, 70 75 percent of the taxes shall~~
~~be paid on a quarterly basis to the municipality in which they were collected,~~
~~after reduction for the costs of administration and collection under subsection~~
~~(c) of this section. Revenues received by a municipality may be expended for~~
~~municipal services only, and not for education expenditures. Any remaining~~
~~revenue shall be deposited into the PILOT Special Fund established by 32~~
~~V.S.A. § 3709.~~

~~* * *~~

~~* * * Flooding Abatement Program * * *~~

~~Sec. 13b. 2024 Acts and Resolves No. 82, Sec. 1, as amended by 2024 Acts~~
~~and Resolves No. 108, Sec. 3, is further amended to read:~~

~~Sec. 1. REIMBURSEMENT TO MUNICIPALITIES OF STATE~~

~~EDUCATION PROPERTY TAXES THAT WERE ABATED DUE~~
~~TO FLOODING~~

~~(a)(1) The Commissioner of Taxes may approve an application by a municipality for reimbursement of State education property tax payments owed under 32 V.S.A. § 5402(c) and 16 V.S.A. § 426. To be eligible for reimbursement under this section, prior to November 15, ~~2024~~ 2025, a municipality must have abated, in proportion to the abated municipal tax, under 24 V.S.A. § 1535 the State education property taxes that were assessed on eligible property, after application of any property tax credit allowed under 32 V.S.A. chapter 154.~~

~~(2) As used in this subsection, “eligible property” means property lost or destroyed due directly or indirectly to severe storms and flooding in an area that was declared a federal disaster between July 1, 2023 and ~~October 15, 2023~~ December 31, 2024, provided the loss or destruction resulted in one or more of the following:~~

~~(A) a 50 percent or greater loss in value to the primary structure on the property;~~

~~(B) loss of use by the property owner of the primary structure on the property for 60 days or more;~~

~~(C) loss of access by the property owner to utilities for the primary structure on the property for 60 days or more; or~~

~~(D) condemnation of the primary structure on the property under federal, State, or municipal law, as applicable.~~

~~(b) If a municipality demonstrates that, due to disruption to tax collections resulting from flooding in an area that was declared a federal disaster between July 1, 2023 and October 15, 2023 December 31, 2024, the municipality incurred unanticipated interest expenses on funds borrowed to make State education property tax payments owed under 32 V.S.A. § 5402(c) and 16 V.S.A. § 426, the municipality may be reimbursed by an amount equal to its reasonable interest expenses under this subsection, provided the amount of reimbursed interest expenses shall not exceed eight percent.~~

~~***~~

~~*** Appropriations ***~~

~~Sec. 14. APPROPRIATIONS~~

~~(a) In fiscal year 2026, the following sums are appropriated from the General Fund to the Department of Public Safety:~~

~~(1) \$275,000.00 to support the two positions created in Sec. 6 of this act;~~

~~(2) \$950,000.00 to support the Urban Search and Rescue Team created pursuant to 20 V.S.A. § 50; and~~

~~(3) \$205,000.00 for the purpose of funding the Vermont Community~~

~~(b) In fiscal year 2026, the sum of \$275,000.00 is appropriated from the General Fund to the Agency of Natural Resources for purposes of procuring a fire apparatus.~~

~~(c) Any unexpended monies from the appropriation under subdivision (a)(3) of this section shall revert to the General Fund on or before July 1, 2026.~~

~~Sec. 14. [Deleted.]~~

~~*** Municipal Charters; Local Option Tax Revenue Share ***~~

~~Sec. 14. 24 App. V.S.A. chapter 3, § 102d is amended to read:~~

~~§ 102d. LOCAL OPTION SALES TAX AUTHORITY~~

~~The Burlington City Council is authorized to impose a one percent sales tax upon sales within the City that are subject to the State of Vermont sales tax with the same exemptions as the State sales tax. The City sales tax shall be effective beginning on the next tax quarter following 30 days' notice in 2006 to the Department of Taxes, or shall be effective on the next tax quarter following 90 days' notice to the Department of Taxes if notice is given in 2007 or after. Any tax imposed under the authority of this section shall be collected and administered by the Vermont Department of Taxes in accordance with State law governing the State sales tax. ~~Seventy percent of the~~ The taxes collected shall be paid to the City, ~~and the remaining amount of the taxes collected shall be remitted to the State Treasurer for deposit in the PILOT Special Fund first~~~~

~~established in 1997 Acts and Resolves No. 60, Sec. 80. The cost of administration and collection of this tax shall be paid 70 percent by the City and 30 percent by the State from the PILOT Special Fund pursuant to 24 V.S.A. § 138. The tax to be paid to the City, less its obligation for 70 percent of the costs of administration and collection, pursuant to 24 V.S.A. § 138 shall be paid to the City on a quarterly basis and may be expended by the City for municipal services only and not for education expenditures.~~

~~Sec. 14a. 24 App. V.S.A. chapter 5, § 1214 is amended to read:~~

~~§ 1214. LOCAL OPTION TAXES~~

~~Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:~~

~~* * *~~

~~(3) Of the taxes reported under this section, 70 percent shall be paid to the City for calendar years thereafter. Such revenues The City's local option tax revenue may be expended by the City for municipal services only and not for educational expenditures. The remaining amount of the taxes reported shall be remitted monthly to the State Treasurer for deposit in the PILOT Special Fund set forth in 32 V.S.A. § 3709. Taxes due to the City under this section shall be paid by the State on a quarterly basis.~~

~~Sec. 14b. 24 App. V.S.A. chapter 127, § 1308a is amended to read:~~

~~§ 1308a. SALES, ROOMS, MEALS, AND ALCOHOLIC BEVERAGES~~

~~TAX~~

~~* * *~~

~~(d) Of the taxes collected under this section, 70 percent The share of taxes due to the Town pursuant to 24 V.S.A. § 138 shall be paid to the Town on a quarterly basis to the Town after reduction for the costs of administration and collection under subsection (c) of this section. Revenues received by the Town may be expended for municipal services only and not for education expenditures. Any remaining revenues shall be deposited in the PILOT Special Fund established by 32 V.S.A. § 3709.~~

~~Sec. 14c. 24 App. V.S.A. chapter 171, § 18 is amended to read:~~

~~§ 18. LOCAL OPTIONS TAX~~

~~The Selectboard is authorized to impose a one percent sales tax, a one percent meals and alcoholic beverages tax, and a one percent rooms tax upon sales within the Town that are subject to the State of Vermont tax on sales, meals, alcoholic beverages, and rooms. The Town tax shall be implemented in the event the State local options tax as provided for in 24 V.S.A. § 138 is repealed or the 70-percent allocation to the town is reduced. A tax imposed under the authority of this section shall be collected and administered by the Vermont Department of Taxes in accordance with State law governing the State~~

~~tax on sales, meals, alcoholic beverages, and rooms. The amount of 70 percent of the taxes collected shall be paid to the Town, and the remaining amount of the taxes collected shall be remitted to the State Treasurer for deposit in the Pilot Special Fund first established in 1997 Acts and Resolves No. 60, § 89 pursuant to 24 V.S.A. § 138. The cost of administration and collection of this tax shall be paid 70 percent by the Town and 30 percent by the State from the Pilot Special Fund pursuant to 24 V.S.A. § 138. The tax to be paid to the Town, less its obligation for the 70 percent of the costs of administration and collection, pursuant to 24 V.S.A. § 138 shall be paid to the Town on a quarterly basis and may be expended by the Town for municipal services only and not for education expenditures. The Town may repeal the local option taxes by Australian ballot vote.~~

~~* * * Effective Date * * *~~

~~Sec. 15. EFFECTIVE DATE~~

~~This act shall take effect on July 1, 2025.~~

~~* * * Effective Dates * * *~~

~~Sec. 15. EFFECTIVE DATES~~

~~(a) This section shall take effect on passage.~~

~~(b) Notwithstanding 1 V.S.A. § 214, Sec. 13b (flooding abatement reimbursement program) shall take effect retroactively on November 15, 2024.~~

~~(c) All other sections shall take effect on July 1, 2025.~~

** * * Division of Emergency Management; Plans and Reports * * **

Sec. 1. 20 V.S.A. § 3a is amended to read:

§ 3a. EMERGENCY MANAGEMENT DIVISION; DUTIES; BUDGET

(a) In addition to other duties required by law, the Division of Emergency Management shall:

** * **

(3) Annually on or before the last legislative day in January, provide an update and presentation to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations concerning all action items in the all-hazards mitigation plan required by subdivision (1) of this subsection.

** * **

Sec. 2. 20 V.S.A. § 41 is amended to read:

§ 41. STATE EMERGENCY MANAGEMENT PLAN

~~The Department of Public Safety's Vermont~~ Division of Emergency Management Division, in consultation with stakeholders, shall create, and republish as needed, but not less than every five years, a comprehensive State Emergency Management Plan. The Plan shall:

(1) 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;~~

(2) 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;~~ and

(3) include templates and guidance for regional emergency management and for local emergency plans that support municipalities in their respective emergency management planning.

** * * Voluntary Buyouts * * **

Sec. 3. 20 V.S.A. § 48 is amended to read:

§ 48. COMMUNITY RESILIENCE AND DISASTER MITIGATION

GRANT PROGRAM

** * **

(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:

** * **

(C) projects that implement disaster mitigation measures, adaptation, or repair; including watershed restoration, voluntary buyouts for flood-

impacted or -prone properties, and similar activities that directly reduce risks to communities, lives, public collections of historic value, and property; and

** * **

** * * Division of Emergency Management; Assistance to Municipalities * * **

Sec. 4. 20 V.S.A. § 51 is added to read:

§ 51. DIVISION OF EMERGENCY MANAGEMENT; ALL-HAZARD

AND WEATHER ALERT SYSTEMS FOR MUNICIPAL

CORPORATIONS

Upon request of a municipal corporation, the Division of Emergency Management shall assist the municipal corporation with access to the following:

(1) a statewide river observation and modeling system that details current river level observations and models river flood outlooks; and

(2) a statewide enhanced weather forecasting and alert system that:

(A) predicts local and regional conditions using advanced modeling;

and

(B) issues real-time warnings for potentially dangerous weather through multiple communication channels.

** * * Needs Assessment Report * * **

Sec. 5. DIVISION OF EMERGENCY MANAGEMENT; STATE

STAKEHOLDERS; NEEDS ASSESSMENT; REPORT

The Division of Emergency Management shall conduct a needs assessment to identify any additional staffing, resources, technical needs, or authority needed to carry out the provisions of this act. On or before November 15, 2025, the Division shall submit a written report to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and on Government Operations containing the needs assessments conducted by the State agencies and departments identified in this section.

** * * Municipal Finances and Indebtedness * * **

Sec. 6. 24 V.S.A. § 1585 is added to read:

§ 1585. UNASSIGNED FUND BALANCE

Monies from a budget approved by the voters at an annual or special meeting that are not expended by the end of a municipality's fiscal year shall be under the control and direction of the legislative body of the municipality and may be carried forward from year to year as an unassigned fund balance. Unassigned fund balances may be invested and reinvested as are other monies received by a town treasurer and may be expended for any public purpose as established by the legislative body of the municipality.

Sec. 7. 24 V.S.A. § 1790 is added to read:

*§ 1790. EMERGENCY BORROWING; ALL-HAZARD EVENT OR STATE
OF EMERGENCY*

The legislative body of a municipality may borrow money, in the name of the municipal corporation, by issuance of its notes or orders for the purpose of paying expenses of the municipal corporation or for public improvements associated with an all-hazards event or a declared state of emergency pursuant to 20 V.S.A. chapter 1. The notes or orders shall be for a period of not more than five years or a term not to exceed the reasonably anticipated useful life of the improvements or assets financed by the notes or orders.

Sec. 8. 24 V.S.A. § 1759 is amended to read:

§ 1759. DENOMINATIONS; PAYMENTS; INTEREST

(a)(1) Any bond issued under this subchapter shall draw interest at a rate not to exceed the rate approved by the voters of the municipal corporation in accordance with section 1758 of this title, or if no rate is specified in the vote under that section, at a rate approved by the legislative ~~branch~~ body of the municipal corporation, ~~such~~ the interest to be payable ~~semiannually~~ as determined by the legislative body of the municipal corporation. ~~Such~~ The bonds or bond shall be payable serially, the first payment to be deferred not later than from one to five years after the issuance of the bonds and subsequent principal payments or debt service payments, which include both principal and

interest payments, to be continued annually in ~~equal~~ substantially level or diminishing declining amounts, as determined by the legislative body of the municipality, so that the entire debt will be paid in not more than 20 years from the date of issue.

(2) In the case of bonds issued for the purchase or development of a municipal forest, the first payment may be deferred not more than 30 years from the date of issuance ~~thereof of the bond.~~ ~~Thereafter such~~ After any deferral period, the bonds or bond shall be payable annually in equal substantially level or diminishing amounts declining annual debt service as the legislative body of the municipal corporation may determine, so that the entire debt will be paid in not more than 60 years from the date of issue.

* * *

(b) General obligation bonds authorized under this subchapter for the purpose of financing the improvement, construction, acquisition, repair, renovation, and replacement of a municipal plant as defined in 30 V.S.A. § 2901 shall be paid serially, the first payment to be deferred not later than from one to five years after the issuance of the bonds, and subsequent principal payments or debt service payments, which include both principal and interest payments, to be continued annually in substantially level or declining amounts, as determined by the legislative body of the municipal corporation, so that the entire debt will be paid ~~over a term equal to the useful life of the financed~~

~~improvements, but not more than 40 years from the date of issue, 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 bonds are issued, notwithstanding other permissible payment schedules authorized by this section.~~

~~*** Dam Drawdown During Emergency Flood Events ***~~

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

~~§ 9. EMERGENCY POWERS OF GOVERNOR~~

~~(a) 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 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~~ the area or areas:~~

~~***~~

~~(b)(1) In consultation with the Secretary of Natural Resources or designee, the Governor may authorize the Agency of Natural Resources to waive applicable permits and restrictions under 10 V.S.A. chapter 47 or the Vermont Water Quality Standards to allow dams within the State to draw down water~~

levels in anticipation of a flood event that is likely to cause substantial damage or injury to persons or property. Waivers may only be issued if the Director of the Division of Emergency Management, in consultation with the Secretary of Natural Resources or designee, has significant reason to believe that authorizing an advance drawdown will decrease the risk of substantial damage to persons or property within the State. The Secretary or designee shall, to the extent feasible, consult with applicable dam owners for federally licensed sites. Dam operators operating under a waiver shall be required to make every effort to minimize the environmental impact of a water level drawdown under the authorized waiver.

(2) Dam owners authorized to use a waiver under this subsection shall be required to develop a drawdown plan that is approved by the Secretary prior to implementation of a drawdown. This subdivision shall not apply to dam owners that have other plans approved by the Secretary in effect that address emergency drawdowns. The drawdown plan shall at minimum include the following:

(A) hydrologic and hydraulic modeling of the dam, reservoir, and downstream channel performed by an engineer experienced in dam safety engineering that proves the public safety benefit of pre-event drawdown;

(B) dam owner communications with downstream communities and applicable regulators prior to and during drawdown operations;

(C) maximum safe reservoir drawdown rates and outflows, as well as
ramping rates for drawdown operations;

(D) target drawdown elevation in the reservoir;

(E) refill plan if unable to achieve during storm event;

(F) monitoring and reporting requirements of drawdown operations;

and

(G) documentation of plan updates and revisions over time.

Sec. 10. [Deleted.]

* * * Local Option Tax; Amount Paid to Municipality * * *

Sec. 11. 24 V.S.A. § 138 is amended to read:

§ 138. LOCAL OPTION TAXES

* * *

(c)(1) Any tax imposed under the authority of this section shall be collected and administered by the Department of Taxes, in accordance with State law governing such State tax or taxes and subdivision (2) of this subsection; provided, however, that a sales tax imposed under this section shall be collected on each sale that is subject to the Vermont sales tax using a destination basis for taxation. Except with respect to taxes collected on the sale of aviation jet fuel, a per-return fee of \$5.96 shall be assessed, ~~70~~ 75 percent of which shall be borne by the municipality, and ~~30~~ 25 percent of which shall be borne by the State to be paid from the PILOT Special Fund.

Notwithstanding 32 V.S.A. § 603 or any other provision of law or municipal charter to the contrary, revenue from the fee shall be used to compensate the Department for the costs of administering and collecting the local option tax and of administering the State appraisal and litigation program established in 32 V.S.A. § 5413. The fee shall be subject to the provisions of 32 V.S.A. § 605.

** * **

(d)(1) Except as provided in subsection (c) of this section and subdivision (2) of this subsection with respect to taxes collected on the sale of aviation jet fuel, of the taxes collected under this section, ~~70~~ 75 percent of the taxes shall be paid on a quarterly basis to the municipality in which they were collected, after reduction for the costs of administration and collection under subsection (c) of this section. Revenues received by a municipality may be expended for municipal services only, and not for education expenditures. Any remaining revenue shall be deposited into the PILOT Special Fund established by 32 V.S.A. § 3709.

** * **

** * * Municipal Charters; Local Option Tax Revenue Share * * **

Sec. 12. 24 App. V.S.A. chapter 3, § 102d is amended to read:

§ 102d. LOCAL OPTION SALES TAX AUTHORITY

The Burlington City Council is authorized to impose a one percent sales tax upon sales within the City that are subject to the State of Vermont sales tax

with the same exemptions as the State sales tax. The City sales tax shall be effective beginning on the next tax quarter following 30 days' notice in 2006 to the Department of Taxes, or shall be effective on the next tax quarter following 90 days' notice to the Department of Taxes if notice is given in 2007 or after. Any tax imposed under the authority of this section shall be collected and administered by the Vermont Department of Taxes in accordance with State law governing the State sales tax. ~~Seventy percent of the~~ The taxes collected shall be paid to the City; ~~and the remaining amount of the taxes collected shall be remitted to the State Treasurer for deposit in the PILOT Special Fund first established in 1997 Acts and Resolves No. 60, Sec. 89. The cost of administration and collection of this tax shall be paid 70 percent by the City and 30 percent by the State from the PILOT Special Fund pursuant to 24 V.S.A. § 138.~~ The tax to be paid to the City, ~~less its obligation for 70 percent of the costs of administration and collection, pursuant to 24 V.S.A. § 138~~ shall be paid ~~to the City~~ on a quarterly basis and may be expended by the City for municipal services only and not for education expenditures.

Sec. 13. 24 App. V.S.A. chapter 5, § 1214 is amended to read:

§ 1214. LOCAL OPTION TAXES

Local option taxes are authorized under this section for the purpose of affording the City an alternative method of raising municipal revenues. Accordingly:

* * *

(3) ~~Of the taxes reported under this section, 70 percent shall be paid to the City for calendar years thereafter. Such revenues~~ The City's local option tax revenue may be expended by the City for municipal services only and not for educational expenditures. The remaining amount of the taxes reported shall be remitted monthly to the State Treasurer for deposit in the PILOT Special Fund set forth in 32 V.S.A. § 3709. Taxes due to the City under this section shall be paid by the State on a quarterly basis.

Sec. 14. 24 App. V.S.A. chapter 127, § 1308a is amended to read:

§ 1308a. SALES, ROOMS, MEALS, AND ALCOHOLIC BEVERAGES

TAX

* * *

(d) ~~Of the taxes collected under this section, 70 percent~~ The share of taxes due to the Town pursuant to 24 V.S.A. § 138 shall be paid ~~to the Town~~ on a quarterly basis ~~to the Town~~ after reduction for the costs of administration and collection under subsection (c) of this section. Revenues received by the Town may be expended for municipal services only and not for education expenditures. Any remaining revenues shall be deposited in the PILOT Special Fund established by 32 V.S.A. § 3709.

Sec. 15. 24 App. V.S.A. chapter 171, § 18 is amended to read:

§ 18. LOCAL OPTIONS TAX

The Selectboard is authorized to impose a one percent sales tax, a one percent meals and alcoholic beverages tax, and a one percent rooms tax upon sales within the Town that are subject to the State of Vermont tax on sales, meals, alcoholic beverages, and rooms. The Town tax shall be implemented in the event the State local options tax as provided for in 24 V.S.A. § 138 is repealed or the 70-percent allocation to the town is reduced. A tax imposed under the authority of this section shall be collected and administered by the Vermont Department of Taxes in accordance with State law governing the State tax on sales, meals, alcoholic beverages, and rooms. The amount of 70 percent of the taxes collected shall be paid to the Town, and the remaining amount of the taxes collected shall be remitted to the State Treasurer for deposit in the Pilot Special Fund first established in 1997 Acts and Resolves No. 60, § 89 pursuant to 24 V.S.A. § 138. The cost of administration and collection of this tax shall be paid 70 percent by the Town and 30 percent by the State from the Pilot Special Fund pursuant to 24 V.S.A. § 138. The tax to be paid to the Town, less its obligation for the 70 percent of the costs of administration and collection, pursuant to 24 V.S.A. § 138 shall be paid to the Town on a quarterly basis and may be expended by the Town for municipal

services only and not for education expenditures. The Town may repeal the local option taxes by Australian ballot vote.

** * * Division of Emergency Management; Technical Corrections * * **

Sec. 16. 20 V.S.A. chapter 1 is amended to read:

CHAPTER 1. EMERGENCY MANAGEMENT

** * **

§ 2. DEFINITIONS

As used in this chapter:

** * **

(3) “Director” means the Director of ~~Vermont~~ the Division of Emergency Management of the Department of Public Safety.

** * **

§ 3. VERMONT EMERGENCY MANAGEMENT ~~DIVISION~~

(a) There is hereby created within the Department of Public Safety ~~a division to~~ the Division of Emergency Management, which may also be known as the Vermont Emergency Management Division.

** * **

*§ 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, as soon as practicable. Language assistance services shall be provided for:

* * *

(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. 17. 20 V.S.A. § 112 is amended to read:

§ 112. ADDITIONAL PROVISIONS — ARTICLE X

* * *

(b) The ~~director~~ Director of the Vermont ~~emergency management service~~ Emergency Management shall be the authorized representative in regard to a request from a party state or by Vermont for aid that does not involve personnel or elements of the Vermont National Guard.

* * *

(d) The ~~director~~ Director of Vermont ~~emergency management~~ Emergency Management shall be responsible for handling any and all documents necessary to obtain reimbursement hereunder for services rendered to a requesting state, or within Vermont by another assisting state.

* * *

Sec. 18. 10 V.S.A. § 599a is amended to read:

§ 599a. REPORTS; RULEMAKING

* * *

(c) In adopting the Strategy, the Agency shall:

* * *

(2) in consultation with other State agencies and departments, including the Department of Public Safety's Division of ~~Vermont~~ Emergency Management, assess the adaptation needs and vulnerabilities of various areas vital to the State's economy, normal functioning, and the health and well-being of Vermonters;

* * *

Sec. 19. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(e) The Commissioner may, in the Commissioner's discretion and subject to such conditions and requirements as the Commissioner may provide, including

any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

(24) To the Division of ~~Vermont~~ Emergency Management at the Department of Public Safety for the purposes of emergency management and communication, and to the Department of Housing and Community Development and any organization then under contract with the Department of Housing and Community Development to carry out a statewide housing needs assessment for the purpose of the statewide housing needs assessment, provided that the disclosure relates to the information collected on the landlord certificate pursuant to subsection 6069(c) of this title.

* * *

** * * Rulemaking; Federal Regulations Incorporated by Reference * * **

Sec. 20. 3 V.S.A. § 850 is added to read:

§ 850. RULES; INCORPORATION OF FEDERAL REGULATIONS

Any federal regulation incorporated by reference into a Vermont Rule as of January 1, 2025 shall continue in effect as a State rule until January 31, 2029 or when the State rule is next amended, whichever is sooner, regardless of whether the federal rule was later repealed or amended. The secretary of an agency or commissioner of a department, as applicable, shall provide notice of these incorporated regulations by posting them on the agency or department

website. Nothing in this section shall prevent the secretary or commissioner from adopting or amending a rule pursuant to this chapter, including emergency rulemaking.

** * * Property Tax Overpayment Refunds; City of Barre and
Town of Milton * * **

Sec. 21. GENERAL FUND TRANSFER TO THE EDUCATION FUND;

*APPROPRIATION FOR COMPENSATION FOR
OVERPAYMENT*

(a) In fiscal year 2026, in addition to any other fund transfers made, \$621,479.00 shall be transferred from the General Fund to the Education Fund to compensate the City of Barre and the Town of Milton for overpayment of education property tax increment from Tax Increment Financing District funds, pursuant to the findings of State Auditor Reports Nos. 21-03 and 24-06.

(b) Notwithstanding 16 V.S.A. § 4025, in fiscal year 2026, \$621,479.00 Education Fund shall be appropriated to the Department of Taxes for the following:

(1) \$437,028.00 to make a payment to the City of Barre to compensate the City for overpayments of education property taxes in fiscal years 2016 through 2020 due to insufficient retention of tax increment by the City's Tax Increment Financing District fund; and

(2) \$184,451.00 to make a payment to the Town of Milton to compensate the Town for overpayments of education property taxes in fiscal years 2017 through 2023 due to insufficient retention of tax increment by the Town's Tax Increment Financing District fund.

Sec. 22. 2023 Acts and Resolves No. 72, Sec. 37 is amended to read:

Sec. 37. TAX INCREMENT FINANCING DISTRICT; CITY OF BARRE;

EXTENSION; INCREMENT

(a) Notwithstanding 2021 Acts and Resolves No. 73, Sec. 26a, amending 2020 Acts and Resolves No. 175, Sec. 29, or any other provision of law, the authority of the City of Barre to incur indebtedness is hereby extended to March 31, ~~2026~~ 2028.

(b) Notwithstanding any other provision of law, the authority of the City of Barre to retain municipal and education tax increment is hereby extended until June 30, 2039.

Sec. 23. REPEAL

3 V.S.A. § 850 (rules; incorporation of federal regulations) is repealed on January 31, 2029.

* * * Effective Dates * * *

Sec. 24. EFFECTIVE DATES

(a) This section and Sec. 20 (rules; incorporation of federal regulations) shall take effect on passage.

(b) Sec. 11 (local option taxes) shall take effect on October 1, 2025.

(c) All other sections shall take effect on July 1, 2025.