

S.255

Introduced by Senators Harrison and Hashim

Referred to Committee on

Date:

Subject: Public safety; law enforcement; municipal and county government;
sheriffs; assistant judges

Statement of purpose of bill as introduced: This bill proposes to create a pilot
program named the Windham County Law Enforcement Governance Council
to provide orchestrated law enforcement and related services to participating
municipalities within Windham County.

An act relating to establishing a pilot Law Enforcement Governance
Council in Windham County

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

Sec. 1. DEFINITIONS

As used in this chapter:

- (1) “Council” means the Windham County Law Enforcement
Governance Council established pursuant to this chapter.
- (2) “Member municipality” means a municipality within Windham
County that has voted to participate in the Council and receive public safety
services pursuant to this chapter.

1 (3) “Nonmember municipality” means a municipality within Windham
2 County that has not voted or voted not to participate in the Council.

3 (4) “Public safety services” means law enforcement, dispatch services,
4 animal control, and other related services as determined by the Council.

5 (5) “Sheriff” means the Sheriff of Windham County or designee.

6 Sec. 2. AUTHORIZATION AND ESTABLISHMENT

7 (a) Municipalities within Windham County are authorized to establish a
8 law enforcement governance council for the purpose of providing regional law
9 enforcement and related services during the pilot period.

10 (b) The Council shall be established when five or more eligible
11 municipalities vote to become member municipalities.

12 (c) The Council shall be established and associated operations and taxation
13 shall commence on either July 1, 2026, or the date on which five or more
14 member municipalities have voted to become member municipalities,
15 whichever occurs later.

16 Sec. 3. MEMBERSHIP

17 (a) A municipality within Windham County may join the Council by
18 majority vote at any annual or special town meeting warned for that purpose.

19 The article for consideration shall substantially state:

20 “Shall the Town of _____ join the Windham County Law Enforcement
21 Governance Council to receive regional law enforcement services, to be

1 funded through an additional county property tax on member municipalities,
2 and to dissolve on June 30, 2034?”

3 (b) Each member municipality shall:

4 (1) Have one representative, with one vote, on the Council. A member
5 municipality’s representative shall be a serving selectboard member of that
6 municipality, to be selected by the municipality’s selectboard.

7 (2) Receive law enforcement and related services as determined by the
8 Council.

9 (3) Pay its proportionate share of costs through the county tax
10 mechanism.

11 (c) A member municipality may withdraw from the Council by majority
12 vote at an annual or special town meeting, with such withdrawal becoming
13 effective at the end of the next fiscal year following the vote.

14 Sec. 4. GOVERNANCE

15 (a) The Council shall consist of one representative from each member
16 municipality.

17 (b) The Council shall annually elect from its membership a chair, vice
18 chair, and secretary-treasurer.

19 (c) The Council shall meet at least quarterly and at such other times as
20 necessary. A majority of member municipalities shall constitute a quorum.

1 All meetings shall be warned and conducted in accordance with the Vermont
2 Open Meeting Law.

3 (d) The Council shall have the powers and duties to:

4 (1) adopt bylaws for the operation of the Council;

5 (2) determine the annual budget for law enforcement and related
6 services to be provided to member municipalities;

7 (3) establish the level and scope of services to be delivered to member
8 municipalities;

9 (4) develop standards and performance metrics for delivered law
10 enforcement and related services;

11 (5) monitor service delivery and evaluate program effectiveness;

12 (6) submit the approved budget to the Windham County Assistant
13 Judges for inclusion in the county budget; and

14 (7) enter into agreements necessary for the provision of services.

15 Sec. 5. BUDGET AND FINANCING

16 (a) Annually, the Council shall prepare and approve a budget for law
17 enforcement and related services for the following fiscal year. The budget
18 shall specify the total amount needed and the services to be provided. The
19 approved budget shall be submitted to the Windham County Assistant Judges
20 on or before December 1 of each year.

1 **(b) The Assistant Judges shall include the Council's approved budget as a**
2 **separate item in the county budget. The county treasurer shall levy and collect**
3 **a special assessment on the grand list of member municipalities only, in**
4 **proportion to each municipality's population. Nonmember municipalities shall**
5 **not be assessed or charged for Council services. Funds collected shall be**
6 **segregated and used solely for the purposes approved by the Council.**

7 **(c) The cost to each member municipality shall be determined by applying**
8 **the county tax rate necessary to raise the Council's budget to each member's**
9 **population.**

10 **(d) The county treasurer shall maintain separate accounts for Council**
11 **funds. The Council shall cause an annual audit to be performed by an**
12 **independent certified public accountant. Financial reports shall be provided**
13 **quarterly to member municipalities and the Assistant Judges.**

14 **Sec. 6. SERVICE DELIVERY**

15 **(a) The Windham County Sheriff's Department shall provide law**
16 **enforcement and related services to member municipalities as specified by the**
17 **Council.**

18 **(b) Pursuant to 24 V.S.A. § 291a, the Council and Sheriff shall enter into**
19 **an annual service agreement specifying:**

- 1 (1) the types and levels of service to be provided;
- 2 (2) standards and performance metrics for delivered law enforcement
- 3 services;
- 4 (3) reporting requirements; and
- 5 (4) allocation of resources among member municipalities.
- 6 (c) Law enforcement services provided shall be coordinated with State law
- 7 enforcement agencies, existing member and nonmember municipal law
- 8 enforcement agencies, and emergency services to ensure efficient resource
- 9 utilization.

10 Sec. 7. REPORTING AND EVALUATION

- 11 (a) Beginning in 2027, on or before January 31 of each year, the Council
- 12 shall submit a report to the House Committee on Government Operations and
- 13 Military Affairs, the Senate Committee on Government Operations, the
- 14 Windham County legislative delegation, and member municipalities
- 15 containing:
- 16 (1) financial statements for the preceding fiscal year;
- 17 (2) service delivery statistics and performance metrics;
- 18 (3) member municipality participation and satisfaction levels;
- 19 (4) challenges encountered and lessons learned; and
- 20 (5) recommendations for improvement.

1 (b) On or before December 31, 2033, the Council, in consultation with the
2 Windham County Sheriff and Windham County Assistant Judges, shall submit
3 a comprehensive evaluation of the pilot program to the General Assembly
4 including:

- 5 (1) an assessment of cost-effectiveness compared to alternative service
6 delivery models;
7 (2) an analysis of service quality improvements;
8 (3) an evaluation of the governance model's effectiveness;
9 (4) recommendations regarding continuation, modification, or expansion
10 of the program; and
11 (5) a proposed framework for statewide replication, if warranted.

12 Sec. 8. LIMITATIONS AND PROTECTIONS

13 (a) Nonmember municipalities shall:
14 (1) not be assessed any costs related to Council operations;
15 (2) continue to receive State Police services as currently provided; and
16 (3) retain all rights to establish their own local law enforcement agencies
17 or contract for law enforcement services independently.

18 (b) Nothing herein shall:
19 (1) affect the constitutional or statutory duties of the Windham County
20 Sheriff;
21 (2) alter State Police responsibilities or coverage;

1 (3) impact existing municipal law enforcement agencies; or

2 (4) modify existing mutual aid agreements.

3 Sec. 9. SUNSET; TERMINATION

4 (a) The Windham County Law Enforcement Governance Council shall
5 cease to exist on June 30, 2034.

6 (b) In the event of the number of member municipalities being reduced to
7 one, the Council shall be deemed terminated.

8 (c) On June 30, 2034, or at the time of the Council's termination,
9 whichever occurs first:

10 (1) the Council shall cease operations;

11 (2) any remaining funds shall be returned proportionally by population
12 to current and prior member municipalities that were member municipalities
13 during the current fiscal year; and

14 (3) service agreements shall be terminated according to their terms.

15 Sec. 10. CONFORMING AMENDMENTS

16 Notwithstanding any provision of 24 V.S.A. chapter 5 to the contrary, the
17 Windham County Assistant Judges are authorized to include in the county
18 budget amounts approved by the Council pursuant to this act and to levy
19 differential tax rates on member and nonmember municipalities as necessary to
20 implement this act.

21 Sec. 11. EFFECTIVE DATE

1 This act shall take effect on passage.