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S.255

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.

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

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

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

Sec. 2. AUTHORIZATION AND ESTABLISHMENT

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

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

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

7       Sec. 3. MEMBERSHIP

8       (a) A municipality within Windham County may join the Council by  
9       majority vote of the legislative body of the municipality.

10       (b) Each member municipality shall:

11           (1) Have one representative, with one vote, on the Council. A member  
12           municipality's representative shall be a serving selectboard member of that  
13           municipality, to be selected by the municipality's selectboard.

14           (2) Receive law enforcement and related services as determined by the  
15           Council.

16           (3) Pay its proportionate share of costs through the county tax  
17           mechanism.

18       (c) A member municipality may withdraw from the Council by majority  
19       vote of the legislative body of the municipality, with such withdrawal  
20       becoming effective at the end of the next fiscal year following the vote.

1       Sec. 4. GOVERNANCE

2           (a) The Council shall consist of one representative from each member  
3       municipality.

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

6           (c) The Council shall meet at least quarterly and at such other times as  
7       necessary. A majority of member municipalities shall constitute a quorum.  
8       All meetings shall be warned and conducted in accordance with the Vermont  
9       Open Meeting Law.

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

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

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

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

16           (4) develop standards and performance metrics for delivered law  
17       enforcement and related services;

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

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

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

1       Sec. 5. BUDGET AND FINANCING

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

7           (b) The Assistant Judges shall include the Council's approved budget as a  
8       separate item in the county budget. The county treasurer shall levy and collect  
9       a special assessment in proportion to each municipality's population.  
10       Nonmember municipalities shall not be assessed or charged for Council  
11       services. Funds collected shall be segregated and used solely for the purposes  
12       approved by the Council.

13           (c) The cost to each member municipality shall be determined by applying  
14       the county tax rate necessary to raise the Council's budget to each member's  
15       population.

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

1       Sec. 6. SERVICE DELIVERY

2           (a) The Windham County Sheriff's Department shall provide law  
3       enforcement and related services to member municipalities as specified by the  
4       Council.

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

7           (1) the types and levels of service to be provided;

8           (2) standards and performance metrics for delivered law enforcement  
9       services;

10          (3) reporting requirements; and

11          (4) allocation of resources among member municipalities.

12          (c) Law enforcement services provided shall be coordinated with State law  
13       enforcement agencies, existing member and nonmember municipal law  
14       enforcement agencies, and emergency services to ensure efficient resource  
15       utilization.

16       Sec. 7. REPORTING AND EVALUATION

17          (a) Beginning in 2027, on or before January 31 of each year, the Council  
18       shall submit a report to the House Committee on Government Operations and  
19       Military Affairs, the Senate Committee on Government Operations, the  
20       Windham County legislative delegation, and member municipalities  
21       containing:

- 1           (1) financial statements for the preceding fiscal year;
- 2           (2) service delivery statistics and performance metrics;
- 3           (3) member municipality participation and satisfaction levels;
- 4           (4) challenges encountered and lessons learned; and
- 5           (5) recommendations for improvement.

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

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

17           Sec. 8. LIMITATIONS AND PROTECTIONS

18           (a) Nonmember municipalities shall:

- 19           (1) not be assessed any costs related to Council operations;
- 20           (2) continue to receive State Police services as currently provided; and

1           (3) retain all rights to establish their own local law enforcement agencies  
2           or contract for law enforcement services independently.

3           (b) Nothing herein shall:

4           (1) affect the constitutional or statutory duties of the Windham County  
5           Sheriff;

6           (2) alter State Police responsibilities or coverage;

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

8           (4) modify existing mutual aid agreements.

9           Sec. 9. SUNSET; TERMINATION

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

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

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

16           (1) the Council shall cease operations;

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

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

1       Sec. 10. CONFORMING AMENDMENTS

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

7       Sec. 11. EFFECTIVE DATE

8           This act shall take effect on passage.