

BILL OVERVIEW
“An Act Relating to Emergency Management”
As Amended by the Senate Government Operations Committee - Draft 2.1

(Updates from the ‘as passed by the House’ version are in red.)

Purpose: This bill, **as amended, now** proposes to:

- Establish the Ready Response Grant Program and authorize the Division of Emergency Management to administer the Program for purposes of sourcing, storing, and distributing shelf-stable foods and bottled water during emergencies. The bill appropriates \$500,000 for this Program.
- Establish the Technical Rescue Grant Program to assist rescue agencies with the improvement of operational readiness and investment in specialized equipment **to be administered by the Urban Search and Rescue (USAR) Team program manager.**
- Amend various statutes to require **the “whole community”** in emergency response planning.
- Amend the statutes governing the State Forest Fire Warden and town forest fire wardens.
- **Create the Increasing Wildland Fire Response Capacity Task Force to examine how to best increase Vermont’s capacity for wildland fire response.**
- Authorize the use of certain funds by the Department of Public Safety to procure and install equipment for the purpose of building out a computer-aided dispatch system for public safety communications.
- **Enable, for a two-year period, agencies to adopt emergency rules if an amendment to a federal statute, rule, or policy will materially conflict with or threaten the ability of the agency to implement a statutory or regulatory program required under Vermont law.**

PART ONE: Ready Response Grant Program (Sec. 1)

Sec. 1 adds 20 V.S.A. § 52 to establish the Ready Response Grant Program. The Program is created to authorize the Division of Emergency Management to award an annual grant to an eligible food bank to source, store, and distribute shelf-stable, ready-to-eat foods and bottled water. The amount of a grant shall be sufficient to ensure that the food and water is appropriately stored, cycled, staged, and distributed pursuant to an MOU with the Division. Food and water shall be redistributed by the grantee through qualifying nonprofits that provide food to individuals in Vermont.

- **Notes:**
 - **Per Sec. 13a, this section does not have to be “implemented” if the Department of Public Safety does not have funds available.**
 - **Sec. 13b appropriates \$500,000 to the Department of Public Safety in fiscal year 2027 for the Ready Response Grant Program administered by the Division of Emergency Management.**

PART TWO: Technical Rescue Grant Program (Secs. 2-2a)

Sec. 2 adds 20 V.S.A. § 53 to establish the Technical Rescue Grant Program. The Program is created to authorize the **Urban Search and Rescue (USAR) Team program manager** to issue grants of not more than \$5,000.00 per grant, totaling not more than \$25,000.00 annually, to fire departments, emergency medical services agencies, and technical rescue agencies operating within Vermont for purposes of improving operational readiness, investing in specialized equipment and personal protective gear, and providing first responders with technical rescue training. The USAR Team program manager is granted APA authority to adopt procedures governing applicant review and scoring. The Department is also required to collect reports from grant recipients concerning the use of the grant funds and provide a consolidated written report to HGOMA and SGO concerning the use of grant funds under the Program.

- **Note: Per Sec. 13a, this section does not have to be “implemented” if the Agency of Administration does not have funds available. (This bill does not appropriate any fund for this grant program.)**

Sec. 2a amends 20 V.S.A. § 50 (Urban Search and Rescue Team) by adding the administration of the Program to the USAR Team program manager’s duties.

PART THREE: Disability Inclusion in Emergency Planning (Secs. 3-4)

Sec. 3 amends 20 V.S.A. § 2 by adding a new definition in the Chapter 1 (Emergency Management), subdivision (13): “‘Whole community’ means the collective of residents; emergency management practitioners; organizational and community leaders; and local, State, and federal government officials.”

- **Note: The House’s Sec. 3 stated “[Deleted.]”**

Sec. 4 amends 20 V.S.A. § 6 (Local and regional organization for emergency management) so that when the Division of Emergency Management advises municipal on shelter sites, both the Division and the municipality are to work with the “whole community,” as defined in Sec. 3.

- **Note: The House’s Sec. 4 would have 1) included disability-led organizations in the list of entities that should be included when the Division advises municipal emergency planning organizations on shelter siting and training under the local emergency plan; and 2) require that each regional emergency management committee include a voting member who is an individual with lived disability experience representing a disability-led organization, appointed by the Vermont Council for Independent Living.**

Sec. 5 amends 20 V.S.A. § 32 (Local emergency planning committees; creation; duties) to require all local emergency planning committees to include representatives from organizations serving vulnerable populations and to coordinate with disability-led organizations throughout all phases of emergency management planning.

Sec. 6 is deleted.

- **Note:** The House's Sec. 6 would have amended [20 V.S.A. § 51 \(Division of Emergency Management; all-hazard and weather alert systems for municipal corporations\)](#) to require, if feasible, that any emergency and weather alert system used by a municipality include communication channels that are accessible by individuals with disabilities.

PART FOUR: Town Forest Fire Wardens (Secs 7-11)

These Sections amend various sections within Titles 10 and 20 to modernize the statutes related to the State Forest Fire Warden, town forest fire wardens, and special forest fire wardens.

- **Sec. 7** amends [10 V.S.A. § 2603 \(Powers and duties: Commissioner\)](#) to authorize the Commissioner of Forests, Parks, and Recreation as the State Forest Fire Warden to:
 - exercise town forest fire warden duties;
 - appoint special forest fire wardens and delegate duties to those wardens;
 - take command over forest fire response in any municipality, unorganized town, or gore;
 - delegate authority to act as incident commander of a forest fire to another person;
 - serve on the Northeastern Forest Fire Protection Commission;
 - enter into mutual aid compacts pursuant to 10 V.S.A. § 2642; and
 - issue a ban on kindling fire permits on lands owned by ANR.
- **Sec. 8** amends [10 V.S.A. chapter 83, subchapter 4 \(forest fire prevention\)](#) in its entirety to update the statutes related to town forest fire wardens. Within this subchapter:
 - [§ 2641 \(Town forest fire wardens; appointment and removal\)](#) is amended to state that the chief of the fire department, fire district, or private fire department with the jurisdictional responsibility to respond to a municipality, unorganized town, or gore is designated as the town forest fire warden.
 - This section is also amended to allow the town forest fire warden to appoint deputies and to clarify that a municipality that does not receive services from any fire department may contract to have a neighboring municipality's fire chief serve as the town forest fire warden.
 - [§ 2642 \(Salary and compensation of town forest fire wardens\)](#) is amended to repeal the specific \$30 annual pay and \$30 training per diem that town forest fire wardens received from the Commissioner of FPR.
 - [§ 2643 \(Town's liability for suppression of forest fires; State aid\)](#) is amended to clarify that municipalities may be reimbursed for the costs of fire suppression services when funds are appropriated or are otherwise available for that purpose. This section is also amended to establish express reporting criteria that must be met by a municipality in order to qualify for reimbursement of fire suppression costs.

- [§ 2644 \(Duties and powers of fire warden\)](#) is amended to establish reporting requirements for town forest fire wardens and to require the issuance of a written permit to kindle fire whenever the town forest fire warden authorizes the kindling of a fire under the section authorizing open burns.
- [§ 2645 \(Open burning; permits\)](#) is amended to clarify that a town forest fire warden may impose conditions on the issuance of a permit to kindle fire. This section is also amended to state that a special forest fire warden has the authority to issue permits to kindle category 3 fires on lands owned by ANR.
- § 2645 is further amended to state that the Commissioner’s discretionary authority concerning permits to kindle fire includes the power to prohibit or restrict category 1, 2, or 3 fires. This section defines the following:
 - “category 1” fire to mean fires 36 inches in diameter or less that are built in stone arches, outdoor fireplaces, or existing fire rings or 36 inches in diameter or less built in a location that is 200 feet or more from any forestland, or field containing dry grass or other flammable plant materials contiguous to forestland.
 - “category 2” fire to mean natural wood fires in piles larger than 36 inches in diameter; or 36 inches in diameter or less, not built in stone arches, outdoor fireplaces, or existing fires rings at State recreational areas, other public recreational areas, or on private property.
 - “category 3” fire to mean fires applied to existing vegetation in a predetermined land area, in a manner to meet specific or prescribed objectives, including fuels management, slash abatement, firefighter training, agricultural field burning, forest management, wildlife habitat management, or introduced species management.
- § 2645 is also amended to clarify that “natural wood” does not mean wood, brush, weeds, or grass if they have been altered in any way by surface applications or injections of paints, stains, preservatives, oils, glues, or pesticides.
- [§ 2646 \(Proclamation by Governor prohibiting kindling of fires: Closing of woodlands\)](#) contains technical corrections.
- [§ 2647 \(Fires in woods of another; permission\)](#) is amended to remove the time specific prohibition of kindling fires on the forestland of another person without permission. This section now generally prohibits kindling fires on another person’s forestland without permission of the owner.
- [§ 2648 \(Slash removal\)](#) is amended to define “slash” for purposes of the provisions governing slash removal. “slash” means branches, tree tops, and other woody debris left on the forest floor after logging.

- Sec. 9 repeals [10 V.S.A. chapter 83, subchapter 7 \(uniform fire prevention ticket\)](#), the subchapter governing the uniform fire prevention ticket. This subchapter allowed the Superior Court to establish the uniform form to be used for a ticket issued by the fire warden for a fire prevention offense. Tickets are issued by the fire warden for a violation of the subchapters governing forest fire prevention.
- Sec. 10 amends [20 V.S.A. § 2673 \(Powers and duties during hazardous chemical or substance incident, fires; threat of fires or explosions\)](#) to conform that section to the updates to the town forest fire warden amendments.
 - Note: Here, the bill transitions from Title 10 (Conservation and Development) to Title 20 (Internal Security and Public Safety).
- Sec. 11 amends 20 V.S.A. § 2992 to eliminate references to the uniform fire prevention ticket subchapter that is repealed by Sec. 9 of this bill.

PART FIVE: Increasing Wildland Fire Response Capacity Task Force (Sec. 11a)

Sec. 11a is session law that creates the Increasing Wildland Fire Response Capacity Task Force to examine how to best increase Vermont’s capacity for wildland fire response. The Task Force, which will be administered by the Department of Forests, Parks and Recreation, shall report twice (by February 15, 2027 and again by July 2027) to the Government Operations Committees and to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committees on Natural Resources and Energy.

PART SIX: Public Safety Communications (Sec. 12)

Sec 12 is session law titled, “Department of Public Safety; Public Safety Communications Task Force; Authorization for Ongoing Expenditure of Funds.” This section authorizes the Department of Public Safety to use monies appropriated or held in reserve pursuant 2022 Acts and Resolves No. 185, Sec. B.1100 (as amended by 2023 Acts and Resolves No. 78, Sec. C.115 and 2023 Acts and Resolves No. 87, Sec. 49) to procure and implement a multidisciplinary computer-aided dispatch system for public safety communications, specifically:

- 1) \$2,250,000 for computer-aided dispatch system and five years of software licensing fees;
- 2) \$190,000 for cybersecurity, expanded use of Rapid SOS, and geographic information systems; and
- 3) \$4,500,000, a) to implement and expand the Land Mobile Radio network to include a Statewide conceptual design; b) for designs and pilot projects; and c) to build out or improve 10 or more Land Mobile Radio sites.

The Department of Public Safety shall submit three written reports (by May 1, 2027, January 15, 2028, and January 15, 2029) to the House and Senate Committees on Appropriations and on Government Operations concerning the expenditure of these

monies. After three years, the Department of Public Safety may request to use of any remaining monies from the appropriations appropriated or held in reserve under this section.

Sec 12 also extends the Public Safety Communications Task Force to February 15, 2027.

Sec. 13 is deleted.

- Note: The House's Sec. 13 was session law titled, "Emergency and All Hazards Media; Language Access," that would have required the Agency of Administration to support the creation of State emergency and all-hazards response and preparedness media in 15 languages, including English and American Sign Language, through the Vermont Language Justice Project.

PART SEVEN: Programs Contingent on Availability of Agency Funds (Sec. 13a)

Sec. 13a is session law titled, "Programs Contingent on Availability of Agency Funds." It requires the Department of Public Safety and the Agency of Administration to implement the **Ready Response Grant Program** (see Secs. 1) and the Technical Rescue Grant Program (see Sec. 2) *only if* there are available funds.

- Note: The House's Sec 13a would have had the Technical Rescue Grant Program (Sec. 2) and Language Access (now-deleted Sec. 13) provisions contingent on available funding.

PART EIGHT: Appropriations (Sec. 13b)

Sec. 13b will appropriate \$500,000 to the Department of Public Safety in fiscal year 2027 for the Ready Response Grant Program administered by the Division of Emergency Management.

PART NINE: Emergency Rule (Sec. 13c-13d)

Sec. 13c amends [3 V.S.A. § 844 \(Emergency rules\)](#), part of the [Vermont Administrative Procedures Act \(3 V.S.A. chapter 25\)](#), so that, in addition to the existing grounds for adopting an emergency rule (the existence of an imminent peril to public health, safety, or welfare), an agency may "if an amendment to a federal statute, rule, or policy will materially conflict with or threaten the ability of the agency to implement a statutory or regulatory program required under Vermont law."

Sec. 13d is session law titled, "Sunset of Agency Emergency Rulemaking Authority" that will repeal 3 V.S.A. § 844(h), from Sec 13c, on July 1, 2028.

PART TEN: Effective Dates (Sec. 14)

- Sections 13c and 13d shall take effect upon passage.
- All other sections shall take effect on July 1, 2026.