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2 S.255

3 Introduced by Senators Harrison and Hashim

4 Referred to Committee on

5 Date:

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

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

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

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

15 Sec. 1. DEFINITIONS

16 As used in this chapter:

17 (1) “Council” means the Windham County Law Enforcement
18 Governance Council established pursuant to this chapter.

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

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

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

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

9 Sec. 2. AUTHORIZATION AND ESTABLISHMENT

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

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

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

19 Sec. 3. MEMBERSHIP

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

3 The article for consideration shall substantially state:

4 "Shall the Town of join the Windham County Law Enforcement
5 Governance Council to receive regional law enforcement services, to be
6 funded through an additional county property tax on member municipalities,
7 and to dissolve on June 30, 2034?"

8 (b) Each member municipality shall:

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

12 (2) Receive law enforcement and related services as determined by the
13 Council.

14 (3) Pay its proportionate share of costs through the county tax
15 mechanism.

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

19 Sec. 4. GOVERNANCE

20 (a) The Council shall consist of one representative from each member
21 municipality.

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

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

7 (d) The Council shall have the powers and duties to:
8 (1) adopt bylaws for the operation of the Council;
9 (2) determine the annual budget for law enforcement and related
10 services to be provided to member municipalities;
11 (3) establish the level and scope of services to be delivered to member
12 municipalities;
13 (4) develop standards and performance metrics for delivered law
14 enforcement and related services;
15 (5) monitor service delivery and evaluate program effectiveness;
16 (6) submit the approved budget to the Windham County Assistant
17 Judges for inclusion in the county budget; and
18 (7) enter into agreements necessary for the provision of services.

19 Sec. 5. BUDGET AND FINANCING

20 (a) Annually, the Council shall prepare and approve a budget for law
21 enforcement and related services for the following fiscal year. The budget

1 shall specify the total amount needed and the services to be provided. The
2 approved budget shall be submitted to the Windham County Assistant Judges
3 on or before December 1 of each year.

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

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

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

17 Sec. 6. SERVICE DELIVERY

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

1 (b) Pursuant to 24 V.S.A. § 291a, the Council and Sheriff shall enter into
2 an annual service agreement specifying:
3 (1) the types and levels of service to be provided;
4 (2) standards and performance metrics for delivered law enforcement
5 services;
6 (3) reporting requirements; and
7 (4) allocation of resources among member municipalities.

8 (c) Law enforcement services provided shall be coordinated with State law
9 enforcement agencies, existing member and nonmember municipal law
10 enforcement agencies, and emergency services to ensure efficient resource
11 utilization.

12 Sec. 7. REPORTING AND EVALUATION

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

18 (1) financial statements for the preceding fiscal year;
19 (2) service delivery statistics and performance metrics;
20 (3) member municipality participation and satisfaction levels;
21 (4) challenges encountered and lessons learned; and

1 (5) recommendations for improvement.

8 (2) an analysis of service quality improvements;

9 (3) an evaluation of the governance model's effectiveness;

10 (4) recommendations regarding continuation, modification, or expansion
11 of the program; and

12 (5) a proposed framework for statewide replication, if warranted.

13 Sec. 8. LIMITATIONS AND PROTECTIONS

14 (a) Nonmember municipalities shall:

15 (1) not be assessed any costs related to Council operations;

16 (2) continue to receive State Police services as currently provided; and

17 (3) retain all rights to establish their own local law enforcement agency

18 or contract for law enforcement services independently.

19 (b) Nothing herein shall:

20 (1) affect the constitutional or statutory duties of the Windham County
21 Sheriff;

1 (2) alter State Police responsibilities or coverage;

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

3 (4) modify existing mutual aid agreements.

4 Sec. 9. SUNSET; TERMINATION

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

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

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

11 (1) the Council shall cease operations;

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

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

16 Sec. 10. CONFORMING AMENDMENTS

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

1 Sec. 11. EFFECTIVE DATE

2 This act shall take effect on passage.