

BILL OVERVIEW
“An act relating to establishing a pilot
Law Enforcement Governance Council in Windham County”
As Amended by the Senate Committee on Government Operations, Draft 1.1

Introductory Notes:

- This bill proposes to create a pilot program named the Windham County Law Enforcement Governance Council (“Council”) to provide orchestrated law enforcement and related services to participating towns within Windham County through 2033. The specific services are determined by the Council, provided by the Windham County Sheriff’s Department, and funded by a special assessment on member municipalities in proportion to the population of each member.
- This bill is session law. No existing statutes are modified (although some are “not-withstood”).
- The amendment (draft 1.1) from Senate Committee on Government Operations seeks to modify the underlying bill in two ways:
 - o 1) by changing how member municipalities enter and exit the program, now to be done by vote of the town’s legislative body rather than a town-wide vote; and
 - o 2) by changing the financing mechanism so that the county treasurer shall levy and collect a special assessment in proportion to each member municipality’s population rather than on the grand list of member municipalities.

Sec. 1 (Definitions) sets out the definitions of the bill.

Sec. 2 (Authorization and Establishment) authorizes the creation of the Council “for the purpose of providing regional law enforcement and related services during the pilot period.” The Council may begin operations and taxation on either July 1, 2026, or the date on which *five* or more member municipalities have voted to become member municipalities, whichever occurs later.

Sec. 3 (Membership), as modified by the SGO amendment, enables municipalities in WindhamCounty to join and exit the Council by vote of the town’s legislative body (this had been by than a town-wide vote in the bill as introduced). Each member municipality shall have one representative, with one vote, on the Council. Council representatives shall be a serving selectboard member of that municipality and will be selected by the municipality’s selectboard.

Sec. 4 (Governance) sets forth the governance structure, powers, and duties of the Council. The Council will meet at least quarterly and at such other times as necessary, and all meetings shall be warned and conducted in accordance with the Vermont Open Meeting Law. The Council shall have the powers and duties to:

- (1) adopt bylaws for the operation of the Council;
- (2) determine the annual budget for law enforcement and related services to be provided to member municipalities;
- (3) establish the level and scope of services to be delivered to member municipalities;

- (4) develop standards and performance metrics for delivered law enforcement and related services;
- (5) monitor service delivery and evaluate program effectiveness;
- (6) submit the approved budget to the Windham County Assistant Judges for inclusion in the county budget; and
- (7) enter into agreements necessary for the provision of services.

Sec. 5 (Budgeting and Financing) details the fiscal elements of the Council. The Council prepares an annual budget and submits it to the Windham County Assistant Judges, who include the it as a separate item in the larger county budget. The county treasurer then levies and collects a special assessment on member municipalities in proportion to each municipality's population. (The SGO amendment removed the requirement that assessment be based on the grand list of a town.) Nonmember municipalities shall not be assessed or charged for Council services. The Council's finances will be annually audited. Financial reports will be provided quarterly to member municipalities and the Assistant Judges.

Sec. 6 (Service Delivery) lays out the parameters for which the Windham County Sheriff's Department provides law enforcement and related services to member municipalities. The specific services are determined by the Council and guaranteed between the parties by an annual contract and must specify:

- (1) the types and levels of service to be provided;
- (2) standards and performance metrics for delivered law enforcement services;
- (3) reporting requirements; and
- (4) allocation of resources among member municipalities.

These law enforcement services provided by the Windham Sheriff will be coordinated with State law enforcement agencies, existing member and nonmember municipal law enforcement agencies, and emergency services to ensure efficient resource utilization.

Sec. 7 (Reporting and Evaluation) directs the Council to provide periodic reports as well as a final report.

Beginning in 2027, submit a report to the House and Senate Committees on Government Operations, the Windham County legislative delegation, and member municipalities containing:

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

By December 31, 2033, the Council will submit a comprehensive evaluation of the pilot program to the General Assembly including:

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

Sec. 8 (Limitations and Protections) explicitly preserves the rights of *non-member* municipalities, which will *not* be assessed any costs related to Council operations, *will* continue to receive State Police services as currently provided; and *do* retain all rights to establish their own local law enforcement agencies or contract for law enforcement services independently. This section also makes clear that the bill will *not* affect the constitutional or statutory duties of the Windham County Sheriff, alter State Police responsibilities or coverage, impact existing municipal law enforcement agencies, or modify existing mutual aid agreements

Sec. 9 (Sunset; Termination) sunsets the Council on June 30, 2034 or in the event of the number of member municipalities being reduced to one, whichever occurs first. At the time of termination, any remaining funds shall be returned proportionally by population to current and prior member municipalities that were member municipalities during the current fiscal year.

Sec. 10 (Conforming Amendments) clarifies that the Windham County Assistant Judges are authorized to levy differential tax rates on member and nonmember municipalities, regardless of any provision of 24 V.S.A. chapter 5 to the contrary.

Sec. 11 (Effective Dates) This bill takes effect on passage.