

1 S.290

2 Introduced by Senator Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; dams; emergency preparedness;
6 funding

7 Statement of purpose of bill as introduced: This bill would establish a Study
8 Committee on Dam Emergency Action Planning to review and recommend
9 how to improve regional emergency action planning for hazards caused by
10 dam failure, including how to shift responsibility for emergency planning from
11 individual municipalities to regional authorities, how to improve regional
12 implementation of dam emergency response plans, and how to fund dam
13 emergency action planning at the regional level.

14 An act relating to the Study Committee on Dam Emergency Action
15 Planning

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

17 Sec. 1. STUDY COMMITTEE ON DAM EMERGENCY ACTION

18 PLANNING

19 (a) Creation. There is created the Study Committee on Dam Emergency

20 Action Planning to review and recommend how to improve regional

1 emergency action planning for hazards caused by dam failure, including how
2 to shift responsibility for emergency planning from individual municipalities to
3 regional authorities, how to improve regional implementation of dam
4 emergency response plans, and how to fund dam emergency action planning at
5 the regional level.

6 (b) Membership. The Study Committee on Dam Emergency Action
7 Planning shall be composed of the following members:

8 (1) one current member of the House of Representatives, who shall be
9 appointed by the Speaker of the House;

10 (2) one current member of the Senate, who shall be appointed by the
11 Committee on Committees;

12 (3) one member of the Department of Environmental Conservation Dam
13 Safety Program, who shall be appointed by the Governor;

14 (4) one member of the Public Utility Commission, who shall be
15 appointed by the Speaker of the House;

16 (5) two members representing regional planning commissions in the
17 State, who shall be appointed by the Committee on Committees;

18 (6) one member of the Division of Emergency Management, appointed
19 by the Governor; and

1 (7) one legal owner of a dam appointed by the Speaker upon
2 recommendation of the Dam Safety Program of the Department of
3 Environmental Conservation.

4 (c) Powers and duties. The Study Committee on Dam Emergency Action
5 Planning shall:

6 (1) identify those dams in the State that are classified as high hazard
7 dams that also have a significant possibility of flooding populated areas;

8 (2) summarize the existing responsibilities of individual municipalities
9 to prepare for and implement existing emergency response plans, including
10 how those responsibilities are funded and whether placing responsibility with
11 individual municipalities is appropriate;

12 (3) identify the regional planning commissions in which a dam
13 identified under subdivision (1) of this subsection are located;

14 (4) recommend the content for a regional emergency action plan for
15 each dam identified under subdivision (1) of this subsection, including
16 identifying necessary evacuations, how evacuees will be sheltered and
17 provided care, and the location of emergency management centers for each
18 dam;

19 (5) recommend who should prepare a regional emergency action plan
20 for each dam identified under subdivision (1) of this subsection, including the

1 basis for the recommendation and the role that regional planning commissions
2 should play in the preparation of the plans;

3 (6) an estimate of the cost of the production of regional emergency
4 action plans for dams; and

5 (7) an estimate of the cost for regional planning commissions and
6 municipalities to implement an emergency action plan, including a
7 recommended source of the funding.

8 (d) Assistance. For purposes of scheduling meetings and administrative
9 support, the Study Committee shall have the assistance of the Office of
10 Legislative Operations. For purposes of providing legal assistance and drafting
11 of legislation, the Study Committee shall have the assistance of the Office of
12 Legislative Counsel. For the purpose of providing fiscal assistance, the Study
13 Committee shall have the assistance of the Joint Fiscal Office.

14 (e) Report. On or before December 15, 2023 the Study Committee shall
15 submit a written report to the General Assembly with its findings and any
16 recommendations for legislative action. Any recommendation for legislative
17 action shall be as draft legislation.

18 (f) Meetings.

19 (1) The Office of Legislative Counsel shall call the first meeting of the
20 Study Committee.

1 (2) The Committee shall select a chair from among its members at the
2 first meeting.

3 (3) A majority of the membership of the Study Committee shall
4 constitute a quorum.

5 (4) The Study Committee shall cease to exist on March 1, 2024.

6 (g) Compensation and reimbursement.

7 (1) For attendance at meetings during adjournment of the General
8 Assembly, a legislative member of the Study Committee shall be entitled to per
9 diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23
10 for not more than eight meetings. These payments shall be made from monies
11 appropriated to the General Assembly.

12 (2) Other members of the Study Committee shall be entitled to per diem
13 compensation and reimbursement of expenses as permitted under 32 V.S.A.
14 § 1010 for not more than eight meetings. These payments shall be made from
15 monies appropriated to the General Assembly.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2024.