



STATE OF VERMONT
OFFICE OF LEGISLATIVE COUNCIL

MEMORANDUM

To: Representative Ancel
From: Rebecca Wasserman
Date: January 17, 2015
Subject: Summary of H. 8

Section 1: Oversight of Military Equipment Transfers

Section 1 requires the Attorney General to directly oversee the transfer of surplus federal military equipment to State or local law enforcement agencies under the federal 1033 Program (notwithstanding the appointment of the Adjutant and Inspector General as the State coordinator of the program).

Section 1 also prohibits any State or local law enforcement agency to accept a transfer of federal surplus military equipment unless the transfer is approved by the Attorney General. Approval to accept a transfer of federal surplus military equipment is based on criteria and procedures developed by the Attorney General, including: (1) a showing of a demonstrated need for the equipment, (2) a determination of whether specialized training is necessary for safe use of the equipment, and (3) an evaluation of equipment storage and maintenance requirements. The Attorney General is authorized to adopt rules to carry out its responsibilities.

Section 1 also requires the Attorney General to submit an annual report to the General Assembly detailing: (1) the number of transfers, (2) the name of each law enforcement agency that received equipment, (3) a description of the equipment received, and (4) the stated purpose for which the equipment will be used.

Section 2: Review of Military Equipment Transfers

Section 2 requires the Attorney General to direct the Adjutant and Inspector General to review the transfer of surplus military equipment to law enforcement agencies in the State from July 1, 2005 to July 1, 2015, and submit a report to the Attorney General by September 15, 2015. The review includes: (1) an historical overview of the operation of the program in the State, (2) an analysis of current policies on the distribution of equipment, and (3) whether the distribution correlates to the needs of a requesting law enforcement agency.

Section 2 also directs the Attorney General to review the Adjutant and Inspector General's report to determine whether State policies, procedures and guidelines governing the program should be revised.

Section 3: Effective Dates

The act is effective on July 1, 2015.