



Senate

General Assembly

File No. 134

February Session, 2004

Senate Bill No. 198

Senate, March 18, 2004

The Committee on Higher Education and Employment Advancement reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROVIDING FREE TUITION AT PUBLIC COLLEGES AND UNIVERSITIES FOR CHILDREN AND SPOUSES OF MILITARY PERSONNEL KILLED IN ACTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 10a-77 of the general statutes, as
2 amended by section 22 of public act 03-19, is repealed and the
3 following is substituted in lieu thereof (*Effective from passage*):

4 (d) Said board of trustees shall waive the payment of tuition at any
5 of the regional community-technical colleges (1) for any dependent
6 child of a person whom the armed forces of the United States has
7 declared to be missing in action or to have been a prisoner of war
8 while serving in such armed forces after January 1, 1960, which child
9 has been accepted for admission to such institution and is a resident of
10 Connecticut at the time such child is accepted for admission to such
11 institution, (2) for any dependent child or spouse of any person who
12 served in the armed forces in time of war, as defined by subsection (a)

13 of section 27-103, as amended by this act, and who was killed in action
14 or who died as a result of accident or illness sustained while
15 performing active military duty with the armed forces of the United
16 States, which child or spouse has been accepted for admission to such
17 institution and is a resident of Connecticut at the time such child or
18 spouse is accepted for admission to such institution, (3) for any veteran
19 having served in time of war, as defined in subsection (a) of section 27-
20 103, as amended by this act, or who served in either a combat or
21 combat support role in the invasion of Grenada, October 25, 1983, to
22 December 15, 1983, the invasion of Panama, December 20, 1989, to
23 January 31, 1990, or the peace-keeping mission in Lebanon, September
24 29, 1982, to March 30, 1984, who has been accepted for admission to
25 such institution and is a resident of Connecticut at the time such
26 veteran is accepted for admission to such institution, [(3)] (4) for any
27 resident of Connecticut sixty-two years of age or older, provided, at
28 the end of the regular registration period, there are enrolled in the
29 course a sufficient number of students other than those persons
30 eligible for waivers pursuant to this subdivision to offer the course in
31 which such person intends to enroll and there is space available in
32 such course after accommodating all such students, [(4)] (5) for any
33 student attending the Connecticut State Police Academy who is
34 enrolled in a law enforcement program at said academy offered in
35 coordination with a regional community-technical college which
36 accredits courses taken in such program, [(5)] (6) for any active
37 member of the Connecticut Army or Air National Guard who (A) is a
38 resident of Connecticut, (B) has been certified by the Adjutant General
39 or such Adjutant General's designee as a member in good standing of
40 the guard, and (C) is enrolled or accepted for admission to such
41 institution on a full-time or part-time basis in an undergraduate
42 degree-granting program, [(6)] (7) for any dependent child of a (A)
43 police officer, as defined in section 7-294a, or supernumerary or
44 auxiliary police officer, (B) firefighter, as defined in section 7-323j, or
45 member of a volunteer fire company, (C) municipal employee, or (D)
46 state employee, as defined in section 5-154, killed in the line of duty,
47 and [(7)] (8) for any resident of the state who is a dependent child or

48 surviving spouse of a specified terrorist victim who was a resident of
49 this state. If any person who receives a tuition waiver in accordance
50 with the provisions of this subsection also receives educational
51 reimbursement from an employer, such waiver shall be reduced by the
52 amount of such educational reimbursement. Veterans described in
53 subdivision [(2)] (3) of this subsection and members of the National
54 Guard described in subdivision [(5)] (6) of this subsection shall be
55 given the same status as students not receiving tuition waivers in
56 registering for courses at regional community-technical colleges.

57 Sec. 2. Subsection (d) of section 10a-99 of the general statutes, as
58 amended by section 23 of public act 03-19 and section 200 of public act
59 03-6 of the June 30 special session, is repealed and the following is
60 substituted in lieu thereof (*Effective from passage*):

61 (d) Said board shall waive the payment of tuition fees at the
62 Connecticut State University system (1) for any dependent child of a
63 person whom the armed forces of the United States has declared to be
64 missing in action or to have been a prisoner of war while serving in
65 such armed forces after January 1, 1960, which child has been accepted
66 for admission to such institution and is a resident of Connecticut at the
67 time such child is accepted for admission to such institution, (2) for
68 any dependent child or spouse of any person who served in the armed
69 forces in time of war, as defined by subsection (a) of section 27-103, as
70 amended by this act, and who was killed in action or who died as a
71 result of accident or illness sustained while performing active military
72 duty with the armed forces of the United States, which child or spouse
73 has been accepted for admission to such institution and is a resident of
74 Connecticut at the time such child or spouse is accepted for admission
75 to such institution, (3) for any veteran having served in time of war, as
76 defined in subsection (a) of section 27-103, as amended by this act, or
77 who served in either a combat or combat support role in the invasion
78 of Grenada, October 25, 1983, to December 15, 1983, the invasion of
79 Panama, December 20, 1989, to January 31, 1990, or the peace-keeping
80 mission in Lebanon, September 29, 1982, to March 30, 1984, who has
81 been accepted for admission to such institution and is a resident of

82 Connecticut at the time such veteran is accepted for admission to such
83 institution, [(3)] (4) for any resident of Connecticut sixty-two years of
84 age or older who has been accepted for admission to such institution,
85 provided (A) such person is enrolled in a degree-granting program, or
86 (B) at the end of the regular registration period, there are enrolled in
87 the course a sufficient number of students other than those persons
88 eligible for waivers pursuant to this subdivision to offer the course in
89 which such person intends to enroll and there is space available in
90 such course after accommodating all such students, [(4)] (5) for any
91 student attending the Connecticut Police Academy who is enrolled in a
92 law enforcement program at said academy offered in coordination
93 with the university which accredits courses taken in such program,
94 [(5)] (6) for any active member of the Connecticut Army or Air
95 National Guard who (A) is a resident of Connecticut, (B) has been
96 certified by the Adjutant General or such Adjutant General's designee
97 as a member in good standing of the guard, and (C) is enrolled or
98 accepted for admission to such institution on a full-time or part-time
99 basis in an undergraduate degree-granting program, [(6)] (7) for any
100 dependent child of a (A) police officer, as defined in section 7-294a, or
101 supernumerary or auxiliary police officer, (B) firefighter, as defined in
102 section 7-323j, or member of a volunteer fire company, (C) municipal
103 employee, or (D) state employee, as defined in section 5-154, killed in
104 the line of duty, and [(7)] (8) for any resident of this state who is a
105 dependent child or surviving spouse of a specified terrorist victim who
106 was a resident of the state. If any person who receives a tuition waiver
107 in accordance with the provisions of this subsection also receives
108 educational reimbursement from an employer, such waiver shall be
109 reduced by the amount of such educational reimbursement. Veterans
110 described in subdivision [(2)] (3) of this subsection and members of the
111 National Guard described in subdivision [(5)] (6) of this subsection
112 shall be given the same status as students not receiving tuition waivers
113 in registering for courses at Connecticut state universities.

114 Sec. 3. Subsection (e) of section 10a-105 of the general statutes, as
115 amended by section 24 of public act 03-19 and section 201 of public act
116 03-6 of the June 30 special session, is repealed and the following is

117 substituted in lieu thereof (*Effective from passage*):

118 (e) Said board of trustees shall waive the payment of tuition fees at
119 The University of Connecticut (1) for any dependent child of a person
120 whom the armed forces of the United States has declared to be missing
121 in action or to have been a prisoner of war while serving in such armed
122 forces after January 1, 1960, which child has been accepted for
123 admission to The University of Connecticut and is a resident of
124 Connecticut at the time such child is accepted for admission to said
125 institution, (2) for any dependent child or spouse of any person who
126 served in the armed forces in time of war, as defined by subsection (a)
127 of section 27-103, as amended by this act, and who was killed in action
128 or who died as a result of accident or illness sustained while
129 performing active military duty with the armed forces of the United
130 States, which child or spouse has been accepted for admission to such
131 institution and is a resident of Connecticut at the time such child or
132 spouse is accepted for admission to such institution, (3) for any veteran
133 having served in time of war, as defined in subsection (a) of section 27-
134 103, as amended by this act, or who served in either a combat or
135 combat support role in the invasion of Grenada, October 25, 1983, to
136 December 15, 1983, the invasion of Panama, December 20, 1989, to
137 January 31, 1990, or the peace-keeping mission in Lebanon, September
138 29, 1982, to March 30, 1984, who has been accepted for admission to
139 said institution and is a resident of Connecticut at the time such
140 veteran is accepted for admission to said institution, [(3)] (4) for any
141 resident of Connecticut sixty-two years of age or older who has been
142 accepted for admission to said institution, provided (A) such person is
143 enrolled in a degree-granting program, or (B) at the end of the regular
144 registration period, there are enrolled in the course a sufficient number
145 of students other than those persons eligible for waivers pursuant to
146 this subdivision to offer the course in which such person intends to
147 enroll and there is space available in such course after accommodating
148 all such students, [(4)] (5) for any active member of the Connecticut
149 Army or Air National Guard who (A) is a resident of Connecticut, (B)
150 has been certified by the Adjutant General or such Adjutant General's
151 designee as a member in good standing of the guard, and (C) is

152 enrolled or accepted for admission to said institution on a full-time or
153 part-time basis in an undergraduate degree-granting program, [(5)] (6)
154 for any dependent child of a (A) police officer, as defined in section 7-
155 294a, or supernumerary or auxiliary police officer, (B) firefighter, as
156 defined in section 7-323j, or member of a volunteer fire company, (C)
157 municipal employee, or (D) state employee, as defined in section 5-154,
158 killed in the line of duty, and [(6)] (7) for any resident of the state who
159 is the dependent child or surviving spouse of a specified terrorist
160 victim who was a resident of the state. If any person who receives a
161 tuition waiver in accordance with the provisions of this subsection also
162 receives educational reimbursement from an employer, such waiver
163 shall be reduced by the amount of such educational reimbursement.
164 Veterans described in subdivision [(2)] (3) of this subsection and
165 members of the National Guard described in subdivision [(4)] (5) of
166 this subsection shall be given the same status as students not receiving
167 tuition waivers in registering for courses at The University of
168 Connecticut.

169 Sec. 4. Subsection (a) of section 27-103 of the general statutes, as
170 amended by section 1 of public act 03-85, is repealed and the following
171 is substituted in lieu thereof (*Effective July 1, 2004*):

172 (a) As used in the general statutes, except chapter 504, and except as
173 otherwise provided: (1) "Armed forces" means the United States Army,
174 Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means
175 any person honorably discharged from, or released under honorable
176 conditions from active service in, the armed forces; (3) "service in time
177 of war" means service of ninety or more days except, if the war,
178 campaign or other operation lasted less than ninety days, "service in
179 time of war" means service for the entire duration of the war,
180 campaign or other operation, unless separated from service earlier
181 because of a service-connected death or a service-connected disability
182 rated by the Veterans' Administration, during a "period of war", as
183 defined in 38 USC 101, as amended, except that the "Vietnam Era"
184 means the period beginning on February 28, 1961, and ending on July
185 1, 1975, in all cases; and "period of war" shall include service while

186 engaged in combat or a combat support role in Lebanon, July 1, 1958,
187 to November 1, 1958, or September 29, 1982, to March 30, 1984;
188 Grenada, October 25, 1983, to December 15, 1983; Operation Earnest
189 Will, involving the escort of Kuwaiti oil tankers flying the United
190 States flag in the Persian Gulf, February 1, 1987, to July 23, 1987; and
191 Panama, December 20, 1989, to January 31, 1990, and shall include
192 service during such periods with the armed forces of any government
193 associated with the United States.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>July 1, 2004</i>

HED *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Higher Education Constituent Units	GF - Revenue Loss	Potential Significant	Potential Significant

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill provides for free tuition at the state’s public institutions of higher education for any dependent child or spouse of any person who served in the armed forces in time of war and was killed in action or who died due to an accident or illness sustained while performing active military duty. Passage of the bill would result in a revenue loss to the University of Connecticut, Connecticut State University and the Community-Technical College system.¹ The number of individuals who would be eligible and who would take advantage of these waivers is unknown at this time.

The state Department of Higher Education currently makes annual awards to dependents of veterans through its Awards to Children of Deceased and Disabled Veterans program. Last year, 10 students received \$4,000 in grants. In addition, over 3,800 veterans and National Guardsmen were given tuition waivers to the state’s public institutions of higher education valued at \$4.25 million in FY 03.

¹ 2004-2005 tuition is as follows: UCONN - \$5,720, CSU - \$3,010 and CTC - \$2,112.

OLR Bill Analysis

SB 198

AN ACT PROVIDING FREE TUITION AT PUBLIC COLLEGES AND UNIVERSITIES FOR CHILDREN AND SPOUSES OF MILITARY PERSONNEL KILLED IN ACTION**SUMMARY:**

This bill waives tuition at state colleges for the surviving dependent children or spouse of anyone who served in the armed forces during time of war and was killed in action or died as a result of an accident or illness sustained anytime while performing active military duty with the U.S. Armed Forces. To get the waiver, the child or spouse must be accepted for admission to the institution and be a state resident at the time of acceptance. The bill applies to the University of Connecticut, the Connecticut State University System (CSU), and community-technical colleges. Time of war includes various conflicts and the period since August 2, 1990 until a date prescribed by the President or federal law.

The bill also makes veterans, and in some cases their surviving spouses and dependent children, eligible for war service benefits if they were separated from active service during wartime by a service-connected death before serving at least 90 days. Under current law, the early separation requirement applies to separation because of a Veterans' Administration-rated service-connected disability. Otherwise, the veteran must serve at least 90 days unless the war or military conflict lasted for less than 90 days and he served for the duration.

EFFECTIVE DATE: The tuition waiver is effective upon passage; the early separation provision is effective July 1, 2004.

BACKGROUND***Time of War***

Veterans honorably discharged from active duty service during wartime, as defined by law, are eligible for a range of war service benefits, which are not available to other veterans. To qualify for the

benefits, the veteran must meet the minimum active-service or early separation requirement.

Table 1 shows the wars and operations occurring since 1940 that qualify as wartime service under Connecticut law, for purposes of veterans' war service benefits. (War service includes service with the armed forces of any government associated with the United States during the qualifying periods.)

Table 1: War Service Periods Since 1940

<i>Operation</i>	<i>Dates</i>
World War II	12/7/41-12/31/46
Korean War	6/27/50-1/31/55
Lebanon Conflict*	7/1/58-11/1/58
Berlin Airlift	8/14/61-6/1/62
Vietnam Era	2/28/61-7/1/75
Lebanon peacekeeping mission*	9/29/82 -3/30/84
Grenada invasion*	10/25/83-12/15/83
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in Persian Gulf)*	2/1/87-7/23/87
Panama invasion*	12/20/89-1/31/90
Persian Gulf War	8/2/1990 until a date prescribed by the President or law

*Service must be in a combat or combat-support role

War Service Benefits

Property Tax Exemption. Wartime veterans are eligible for a minimum \$1,500 local property tax exemption. (In addition to U.S. veterans, veterans who served in the armed forces of U.S. allies in WWI and II, but not other wars, qualify for this benefit.)

Education Benefits. The law waives tuition at the state's public colleges and universities for wartime veterans. It also provides state education aid to children between the ages of 16 and 23 of veterans who are killed in action, or who die in accidents or from illness while on active duty, or are totally and permanently disabled. The amount of aid is based on need, up to \$400.

Medical Treatment. Wartime veterans are eligible for admission to the Veterans' Home and Hospital, and wartime veterans with no adequate means of support are eligible for admission to other hospitals at state expense.

Civil Service Examination Bonus Points. The law gives wartime veterans five bonus points and disabled wartime veterans 10 bonus points on initial state civil service examinations, as long as they meet the minimum competency scores. The same bonus awards apply to initial municipal civil service examinations.

Fee Exemptions. Wartime veterans are eligible for an exemption from any local itinerant vendor's license fee.

Honor Guards. Wartime veterans are entitled to funeral honor guards.

Soldiers, Sailors and Marines Fund. Needy wartime veterans are eligible for benefits such as food, clothing, and medical assistance from this fund.

Temporary Financial Assistance. Wartime veterans who need help because of disability or other service-related cause are eligible for temporary financial assistance from the veterans' affairs commissioner in an amount and for a time he decides.

Retirement. Members of the Municipal Employees' Retirement System who leave municipal employment to enter the armed forces while the U.S. is at war and are reemployed by the municipality within six months of discharge, are credited with the period of service as though they had been continuously employed.

Wartime veterans who become members of the State Employees' or Teachers' Retirement systems may purchase retirement credit for their entire time of service, under certain circumstances. (Other veterans may purchase credit for up to 30 months.)

State police officers and correction officers and instructors who return to work from military leave within 90 days after discharge receive retirement credit for any period of wartime service. The law also provides retirement credit for wartime service prior to these veterans' employment, if they pay the appropriate contributions to the

retirement fund.

Motor Vehicle Registration Fee Exemptions. Disabled wartime veterans qualify for registration fee exemptions for up to three vehicles they own or lease in the passenger, camper, or combination passenger and commercial registration categories. Former prisoners of war and Congressional Medal of Honor recipients qualify for two such registrations.

Disabled wartime veterans with certain Veterans' Administration-rated disabilities also qualify for free special license plates and an identification card. The plates allow the veteran to park overtime without penalty as long as he does not leave the vehicle at any one location for more than 24 hours. Surviving spouses may keep the plates and identification cards until death or remarriage.

Veterans Cemetery. Wartime veterans are eligible for burial in the state veterans' cemetery. Eligibility is based on CGS § 27-122b, rather than CGS § 27-103, which this bill amends. Based on the former, veterans of any war fought after the Lebanon peacekeeping mission (1982-1984) are not eligible for burial in the cemetery. But, in practice, it appears that the Veterans' Department uses the war periods in CGS § 27-103 when determining eligibility.

Tuition Waivers

The following are eligible for tuition waivers at the University of Connecticut (UConn), CSU, and the community-technical colleges:

1. (a) dependent children of prisoners of war and of those declared missing in action while serving in the armed forces after January 1, 1960 and (b) veterans who have served in times of war or in a variety of specified peace-keeping missions, if the individuals are accepted for admission and are Connecticut residents at that time;
2. Connecticut residents who are at least 62 years old, if there is space available after accommodating other students and there are enough other students to offer the course or, in the case of UConn and CSU, if they have been accepted into and are enrolled in a degree-granting program;
3. Connecticut residents who are National Guard members in good standing, if they are enrolled or accepted for admission in an undergraduate degree-granting program; and

4. dependent children of (a) paid, supernumerary, or auxiliary police officers, (b) paid or volunteer firefighters, or (c) municipal and state employees killed in the line of duty.
5. resident dependent children or surviving spouses of terrorist victims who resided in Connecticut.

Tuition at community-technical colleges and CSU is also waived for State Police Academy students enrolled in a law enforcement program offered in coordination with a community-technical college or CSU institution that accredits the program's courses.

Anyone receiving a statutory tuition waiver who also receives educational reimbursements from an employer must have his waiver reduced by the reimbursement amount.

Related Bills

SB 239, reported favorably by the Public Safety Committee on March 2, eliminates war service as a criterion for admission to the Veterans' Home and Hospital and burial in the veterans' cemetery and makes miscellaneous changes affecting hospital payments for veterans with no means of support.

SB 315, reported favorably by the Public Safety Committee on March 2, allows National Guard members to participate in the Soldiers, Sailors and Marines Fund.

SB 316, reported favorably by the Public Safety Committee to the Appropriations Committee on March 2, gives a \$50 bonus for each month served up to a maximum of \$1,000 to National Guard members who served 90 days of active duty service in Operation Enduring Freedom or Operation Iraqi Freedom.

SB 317, reported favorably by the Public Safety Committee to the Appropriations Committee on March 2, creates a Connecticut National Guard relief account for the Military Department to use to provide relief services to guardsmen and their dependents.

HB 5362, reported favorably by the Public Safety Committee on March 2, makes honorably discharged National Guard members eligible for war service benefits if they serve 90 consecutive days in state active service during wartime.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Report
Yea 20 Nay 0