



General Assembly

January Session, 2007

Raised Bill No. 1185

LCO No. 4389

04389_____VA_

Referred to Committee on Select Committee on Veterans' Affairs

Introduced by:
(VA)

AN ACT CONCERNING DEFINITIONS RELATED TO VETERANS AND CERTAIN VETERANS' BENEFITS.

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

1 Section 1. Section 27-103 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007*):

3 (a) As used in the general statutes, except chapter 504, and except as
4 otherwise provided:

5 (1) "Armed forces" means (A) the United States Army, Navy, Marine
6 Corps, Coast Guard and Air Force and any reserve component thereof,
7 including the Connecticut National Guard performing duty as
8 provided in Title 32 of the United States Code, [;] (B) the commissioned
9 officers of the Public Health Service, Environmental Science Services
10 Administration or National Oceanic and Atmospheric Administration,
11 including its predecessor the Coast and Geodetic Survey, or (C) the
12 crew of a merchant vessel during the Second World War and qualified
13 with respect to such service as members of the group known as the
14 "American Merchant Marine in ocean-going service during the period
15 of armed conflict, December 7, 1941, to August 15, 1945";

16 (2) "Active service" means (A) full-time military service of ninety or
17 more consecutive days, other than active duty for training, inactive
18 duty for training, or annual training, in a component of the armed
19 forces, and (B) includes service of less than ninety consecutive days
20 due to (i) a service-connected disability rated by the Veterans'
21 Administration, or (ii) the completion of the active service for which
22 the individual was called;

23 [(2) "veteran"] (3) "Veteran" means any person honorably discharged
24 from, or released under honorable conditions from active service in,
25 the armed forces;

26 [(3) "service in time of war"] (4) "Service in time of war" means
27 active service [of ninety or more days except, if the period of war
28 lasted less than ninety days, "service in time of war" means service for
29 the entire period of war, unless separated from service earlier because
30 of a service-connected disability rated by the Veterans'
31 Administration,] during a period of war; and

32 [(4) "period of war"] (5) "Period of war" has the same meaning as
33 provided in 38 USC 101, as amended from time to time, except that the
34 "Vietnam Era" means the period beginning on February 28, 1961, and
35 ending on July 1, 1975, in all cases; and "period of war" shall include
36 service while engaged in combat or a combat support role in Lebanon,
37 July 1, 1958, to November 1, 1958, or September 29, 1982, to March 30,
38 1984; Grenada, October 25, 1983, to December 15, 1983; Operation
39 Earnest Will, involving the escort of Kuwaiti oil tankers flying the
40 United States flag in the Persian Gulf, February 1, 1987, to July 23,
41 1987; and Panama, December 20, 1989, to January 31, 1990, and shall
42 include service during such periods with the armed forces of any
43 government associated with the United States.

44 (b) As used in this part: [,]

45 (1) ["home"] "Home" means the Veterans' Home maintained by the
46 state;

47 (2) ["hospital"] "Hospital" means any incorporated hospital or
48 tuberculosis sanatorium in the state and any state chronic disease
49 hospital, mental hospital or training school for the mentally retarded;
50 [.]

51 (3) ["veteran"] "Veteran" means any veteran who served in time of
52 war, as defined in subsection (a) of this section, and who is a resident
53 of this state, provided, if [he] the veteran was not a resident or resident
54 alien of this state at the time of enlistment or induction into the armed
55 forces, [he] the veteran shall have resided continuously in this state for
56 at least two years;

57 (4) ["eligible dependent"] "Eligible dependent" means any parent,
58 wife or husband, or child of a veteran who has no adequate means of
59 support; and

60 (5) ["eligible family member"] "Eligible family member" means any
61 parent, brother or sister, wife or husband, or child or children under
62 eighteen years of age, of any veteran whose cooperation in the
63 program is integral to the treatment of the veteran.

64 Sec. 2. Subsection (a) of section 27-108 of the general statutes is
65 repealed and the following is substituted in lieu thereof (*Effective July*
66 *1, 2007*):

67 (a) (1) As used in this section, "veteran" includes (A) a veteran, as
68 defined in subsection (a) of section 27-103, as amended by this act, and
69 (B) a member or former member of the armed forces who is a resident
70 of this state and entitled to retired pay under 10 USC 12731 et seq., or
71 who would be entitled to retired pay under 10 USC 12731 et seq.
72 except for the fact that the member or former member is under sixty
73 years of age.

74 [(a)] (2) Any veteran, [as defined in subsection (a) of section 27-103,]
75 and such veteran's spouse or former spouse, may apply for admission
76 to the home. [; and any] Any such veteran who, from disease, wounds

77 or accident, needs medical or surgical care and treatment or who has
78 become mentally ill and who has no adequate means of support, may
79 be admitted to any hospital and receive necessary food, clothing, care
80 and treatment therein, at the expense of the state, unless other funds or
81 means of payment are available.

82 (b) Any such veteran desiring care or treatment under the
83 provisions of this chapter shall make application under oath to the
84 Commissioner of Veterans' Affairs; but, if, by reason of his or her
85 physical condition, he or she is unable to make such application, some
86 other veteran may make such application in his or her behalf. Said
87 commissioner, or his or her designee, shall have sole power to
88 determine whether such veteran is entitled to admission to the home
89 or to a hospital, and such veteran, if admitted, may, upon application
90 to the commissioner, receive transportation at the expense of the state
91 from his or her place of residence to the home or such hospital. No
92 veteran so admitted shall be discharged from the home except upon
93 the approval of the commissioner or his or her designee. The
94 commissioner shall have sole power to remove any veteran whose care
95 and treatment is paid for by the state from any hospital to another and
96 shall appoint such agents as are necessary to see that veterans
97 admitted to hospitals are receiving necessary food, clothing, care and
98 treatment.

99 (c) Such veterans who are able to pay in whole or in part for such
100 program or services, as determined by the applicable fee schedule
101 adopted pursuant to subsection (d) of section 27-102l, shall receive a
102 monthly bill for such services rendered.

103 (d) In the event that a bill of a veteran remains unpaid and past due,
104 the chief fiscal officer, with the approval of the commissioner, shall
105 require the veteran to assign his or her right to receive payment of
106 income, from whatever source, to the commissioner until (1) such
107 account is made current, and (2) the veteran demonstrates to the
108 satisfaction of the commissioner a reasonable likelihood of more

109 prudent financial management for the future. Any veteran shall be
110 provided an opportunity for a hearing when an order of assignment is
111 issued.

112 (e) Payment of amounts determined by the commissioner as
113 provided by subsection (c) of this section shall be deposited in the
114 institutional general welfare fund of the Veterans' Home established in
115 accordance with sections 4-56 to 4-58, inclusive, and shall be available
116 for expenditure from said fund for the operation of the Veterans'
117 Home in accordance with procedures prescribed by the commissioner
118 and the Comptroller.

119 (f) In the event that a veteran dies, still owing money for services
120 rendered, the commissioner, with the aid of the Attorney General's
121 office, may submit a claim against such veteran's estate and any
122 amounts collected shall be deposited in the institutional general
123 welfare fund in accordance with section 4-56.

124 Sec. 3. Section 27-122b of the general statutes is repealed and the
125 following is substituted in lieu thereof (*Effective July 1, 2007*):

126 (a) As used in this section: (1) "Armed forces" includes the United
127 States Army, Navy, Marine Corps, Air Force or Coast Guard or any
128 women's auxiliary branch thereof, organized pursuant to an Act of
129 Congress; and (2) "veteran" means any person honorably discharged
130 from, or released under honorable conditions from, active service in
131 the armed forces, or a member or former member of the armed forces
132 who is a resident of this state entitled to retired pay under 10 USC
133 12731 et seq., or who would be entitled to retired pay under 10 USC
134 12731 et seq. except for the fact that the resident is under sixty years of
135 age.

136 (b) (1) Any veteran may, by letter or other communication
137 addressed to the commissioner, or by will, request that upon his or her
138 death his or her body be buried in said veterans' cemetery, or (2) the
139 spouse or other next of kin may apply to the commissioner to have the

140 body of such veteran buried in said veterans' cemetery, and in either
141 case such request shall be granted.

142 (c) The spouse of any veteran shall, upon similar request or
143 application made to the commissioner, be buried in said veterans'
144 cemetery provided only one such request or application shall be
145 granted.

146 (d) The commissioner shall designate an area in said veterans'
147 cemetery for veterans who, for religious reasons, require burial in a
148 consecrated area.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	27-103
Sec. 2	<i>July 1, 2007</i>	27-108(a)
Sec. 3	<i>July 1, 2007</i>	27-122b

Statement of Purpose:

To amend certain definitions related to veterans and certain veterans' benefits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]