



House of Representatives

General Assembly

File No. 145

February Session, 2010

House Bill No. 5263

House of Representatives, March 25, 2010

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING PROMOTIONS FOR RETIRED VETERANS.

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

1 Section 1. Section 27-53 of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) When a member of the armed forces of the state or the
5 Governor's military staff, whose service has been honorable, has
6 served ten years, he or she may, if he or she makes a timely application
7 to the Adjutant General through the chain of command prior to such
8 member's retirement date, be retired from active service and placed
9 upon the retired list. Such retirement shall be in the highest grade in
10 which he or she has served. When such service equals or exceeds
11 twenty years, he or she may, upon his or her application to the
12 Adjutant General, through the chain of command prior to such
13 member's retirement date, be commissioned at or promoted to the next
14 higher grade than the highest grade at which he or she may have held
15 at any time, either in the armed forces of the state or the Governor's

16 military staff or the [military or naval] armed forces of the United
17 States, which higher grade shall not be above the grade of a brigadier
18 general or sergeant major, and shall thereafter be placed upon the
19 retired list with such grade. Members may only receive the retirement
20 promotion provided under this section one time. In determining such
21 term of service of twenty years, there may be added to any term of not
22 less than ten years' service in the armed forces of the state or the
23 Governor's military staff the term of service with the [military or
24 naval] armed forces of the United States, either active, inactive or
25 reserve. Retirement shall be obligatory for all members reaching the
26 age of sixty-four years or as required for members of the National
27 Guard and naval militia by laws and regulations pertaining thereto.

28 (b) A retired member of the armed forces of the state or the
29 Governor's military staff, whose service was honorable, who served
30 thirty or more years and who did not apply for a retirement promotion
31 prior to retirement, may apply directly to the Adjutant General to be
32 commissioned at or promoted to the next higher grade than the
33 highest grade at which he or she may have held at any time, either in
34 the armed forces of the state or the Governor's military staff or the
35 armed forces of the United States, which higher grade shall not be
36 above the grade of a brigadier general or sergeant major.

37 Sec. 2. Section 27-54 of the 2010 supplement to the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective*
39 *October 1, 2010*):

40 Members on the retired list shall serve thereon without pay; shall be
41 withdrawn from unit rosters, command and from line of promotion
42 and shall continue to be borne on the register of the armed forces of the
43 state, and shall be entitled to wear, within the limitations prescribed by
44 the laws and regulations of the United States, the uniform of the rank
45 on which they have been retired. They shall, at all times, be subject to
46 the rules and regulations governing the armed forces of the state. They
47 may, with their consent, be detailed from the retired list and placed
48 upon active duty at any time when ordered by the Governor and,

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Military Dept.	GF - Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill allows a retired member with thirty years of the National Guard to apply for a retirement promotion who have not previously done so. If these members are placed upon active duty they will be paid at their respective retirement promotion level but the additional cost will be minimal due to the nominal number of applicable members.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5263*****AN ACT CONCERNING PROMOTIONS FOR RETIRED VETERANS.*****SUMMARY:**

This bill allows honorably discharged members of the Connecticut National Guard or the governor's military staff with 30 or more years of service to apply for "retirement promotion" after they have retired from active service and be placed on the National Guard's list of retirees ("retired list").

Under current law, before retiring from active service, (1) members of the National Guard or governor's military staff with 10 years of honorable service may apply to the adjutant general to be placed on the "retired list" in the highest grade in which they ever served and (2) members with 20 or more years of service may apply to be placed on the list at one grade above the highest grade they ever held in the U.S. or state armed forces or on the governor's military staff, but not above brigadier general or sergeant major. This bill allows honorably discharged members with 30 or more years of service who did not apply for retirement promotion before retiring to apply to the adjutant general to be promoted or commissioned and placed on the list at one grade above the highest grade they ever held in the state or U.S. Armed Forces or on the governor's military staff, but not above brigadier general or sergeant major.

Under current law, members are eligible for one promotion. It is unclear under the bill whether retirees are eligible for more than one promotion.

EFFECTIVE DATE: October 1, 2010

BACKGROUND***The Retired List***

By law, people on the retired list (1) must be kept on the state armed forces register; (2) are subject to the National Guard's rules and regulations; (3) may wear, within the limitations of law and regulations, the uniform of the rank at which they retired; (4) may, if they consent, be detailed from the list and placed on active duty at the governor's order; and (5) serve without pay, except when on such duty, in which case, they are entitled to the same pay and allowances as officers of a similar grade on the active list. They must be withdrawn from command, line of promotion, and unit rosters.

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 9 Nay 0 (03/02/2010)

Public Safety and Security Committee

Joint Favorable

Yea 20 Nay 0 (03/11/2010)