



Senate

General Assembly

File No. 108

January Session, 2017

Substitute Senate Bill No. 914

Senate, March 21, 2017

The Committee on Veterans' Affairs reported through SEN. FLEXER of the 29th Dist. and SEN. MARTIN of the 31st Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEFINITION OF A VETERAN FOR A CERTAIN HONOR AND CERTAIN BENEFIT.

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

1 Section 1. Section 27-73e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 The Commissioner of Veterans Affairs in conjunction with the
4 Adjutant General shall award a ribbon and medal to each (1) veteran
5 [who served in time of war, as defined in subsection (a) of section 27-
6 103, and] who either [(1)] (A) was a resident of this state at the time he
7 or she was called to active duty for [such] service in time of war, or
8 [(2)] (B) is domiciled in this state on the date of such award, and (2)
9 former member of any reserve component of the armed forces who
10 was honorably discharged who either (A) was a resident of this state at
11 the time he or she was serving in such reserve component during a
12 period of war, or (B) is domiciled in this state on the date of such
13 award. The commissioner in conjunction with the Adjutant General

14 shall adopt regulations, in accordance with chapter 54, setting forth the
15 process for designing the ribbon and medal, identifying such veterans
16 and former members who are eligible for the ribbon and medal under
17 this section and establishing procedures for distributing the ribbon and
18 medal to each such eligible veteran and former member. The cost of
19 the ribbons and medals shall be paid from the funds appropriated to
20 the military assistance account within the Military Department. Within
21 existing budgetary resources, awards under this section may be made
22 posthumously for veterans who died on or after November 12, 1918.
23 As used in this section, "veteran", "service in time of war" and "period
24 of war" have the same meanings as provided in subsection (a) of
25 section 27-103.

26 Sec. 2. Subsections (e) and (f) of section 14-36h of the general
27 statutes are repealed and the following is substituted in lieu thereof
28 (*Effective October 1, 2017*):

29 (e) Any person who is a veteran may submit a request to the
30 Department of Veterans Affairs to have his or her status as a veteran
31 contained on his or her motor vehicle operator's license or identity
32 card. Said department shall, not later than thirty days after receipt of
33 such request, verify whether such person is a veteran and, if so, notify
34 the Commissioner of Motor Vehicles of such request and verification.
35 The Commissioner of Motor Vehicles shall indicate such person's
36 status as a veteran on any motor vehicle operator's license or identity
37 card issued to such person upon original issuance or renewal of a
38 motor vehicle operator's license or identity card or upon issuance of a
39 duplicate motor vehicle operator's license or identity card.

40 (f) As used in this section: (1) "Full legal name" means the most
41 complete version of the name that appears on a person's certificate of
42 birth, official passport or other document or documents accepted by
43 the Commissioner of Motor Vehicles to verify the person's identity,
44 unless the person presents a marriage license or certificate, a certificate
45 of civil union, a divorce decree or an order of a court of competent
46 jurisdiction pertaining to a permanent change of the person's name;

47 and (2) "veteran" [has the same meaning as provided in subsection (a)
48 of section 27-103] means any person honorably discharged from, or
49 released under honorable conditions from active service in, the armed
50 forces, as defined in subsection (a) of section 27-103, and any former
51 member of the armed forces who is entitled to retirement pay under 10
52 USC Chapter 1223, as amended from time to time, or, but for age,
53 would be so entitled.

54 Sec. 3. Section 27-122b of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective January 1, 2018*):

56 (a) As used in this section, "veteran" means any person (1)
57 honorably discharged from, or released under honorable conditions
58 from, active service in the United States Army, Navy, Marine Corps,
59 Air Force or Coast Guard or any women's auxiliary branch thereof,
60 organized pursuant to an Act of Congress; (2) who has completed at
61 least twenty years of qualifying service, as described in and computed
62 under 10 USC Chapter 1223, as amended from time to time, in the
63 Connecticut National Guard; or (3) who was killed in action, or who
64 died as a result of accident or illness sustained while performing active
65 service, in the United States Army, Navy, Marine Corps, Air Force or
66 Coast Guard or any women's auxiliary branch thereof, organized
67 pursuant to an Act of Congress, or in the Connecticut National Guard.

68 (b) (1) Any veteran may, by letter or other communication
69 addressed to the commissioner, or by will, request that upon his or her
70 death his or her body be buried in a veterans' cemetery established
71 pursuant to section 27-122a, or (2) the spouse or other next of kin may
72 apply to the commissioner to have the body of such veteran buried in
73 said veterans' cemetery, and in either case such request shall be
74 granted.

75 (c) (1) Any member or former member of the armed forces, as
76 defined in subsection (a) of section 27-103, who is a resident of this
77 state and is entitled to retirement pay under 10 USC Chapter 1223, as
78 amended from time to time, or would have been entitled to retirement
79 pay under said chapter, but for the fact that the person is under sixty

80 years of age, may by letter or other communication addressed to the
 81 commissioner, or by will, request that his or her body will be buried in
 82 said veterans' cemetery, or (2) the spouse or other next of kin may
 83 apply to the commissioner to have the body of such [veteran] member
 84 or former member buried in said veterans' cemetery, and, in either
 85 case, such request shall be granted.

86 (d) The spouse of any veteran shall, upon similar request or
 87 application made to the commissioner, be buried in said veterans'
 88 cemetery provided only one such request or application shall be
 89 granted.

90 (e) The commissioner shall designate an area in said veterans'
 91 cemetery for veterans who, for religious reasons, require burial in a
 92 consecrated area.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	27-73e
Sec. 2	October 1, 2017	14-36h(e) and (f)
Sec. 3	January 1, 2018	27-122b

Statement of Legislative Commissioners:

In Section 1, "identifying veterans who" was changed to "identifying such veterans and former members who" and "each eligible veteran." was changed to "each such eligible veteran and former member." for accuracy and consistency; and in Section 3(c)(2), "body of such veteran buried" was changed to "body of such [veteran] member or former member buried" for accuracy.

VA *Joint Favorable Subst. -LCO*

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:*** None***Municipal Impact:*** None***Explanation***

The bill extends eligibility for the wartime service medal, veteran status on driver's license, and burial in the state veterans' cemeteries to members of the National Guard or a reserve unit of the military who were not called to active duty during a time of war. The population that will now qualify for these benefits is unknown. Both burial in veteran cemeteries and veteran status on identification have additional federal requirements and neither is anticipated to result in a fiscal impact. The state currently has approximately 100,000 wartime service ribbon and medal sets that can be awarded to newly eligible population and thus no additional costs will result from the bill.

The Out Years

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

OLR Bill Analysis**sSB 914*****AN ACT CONCERNING THE DEFINITION OF A VETERAN FOR A CERTAIN HONOR AND CERTAIN BENEFIT.*****SUMMARY**

This bill extends eligibility for several veterans' benefits, including who may (1) receive a veteran's ribbon and medal, (2) have veteran status on their driver's license or identity card, or (3) be buried in the state veterans' cemeteries.

State law defines "veteran" as anyone honorably discharged or released from active service in the U.S. Armed Forces or their reserve components, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g., certain Homeland Security missions).

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2017, except January 1, 2018 for the state veterans' cemetery provision.

RIBBONS AND MEDALS

Current law requires the veterans affairs commissioner, in conjunction with the adjutant general, to award a ribbon and medal to any veteran with service in a time of war (see BACKGROUND) who (1) was a Connecticut resident when called to active duty or (2) is living in Connecticut when the award is made.

The bill eliminates the "service in a time of war" requirement and thus extends the eligibility to all veterans living in Connecticut when the award is made. It also requires the commissioner to award the ribbon and medal to any former member of an armed forces reserve component who was honorably discharged and (1) was a Connecticut

resident when serving in the reserves during a time of war (see BACKGROUND) or (2) is living in Connecticut when the award is made.

Existing law requires the commissioner, with the adjutant general, to adopt regulations establishing the process for designing and distributing the ribbon and medal and for identifying eligible veterans. Under the bill, the regulations must also cover these processes for newly eligible veterans and former members. Existing law, unchanged by the bill, requires that the cost of the ribbons and medals be paid from funds from the Military Department's military assistance account.

VETERAN STATUS ON DRIVERS LICENSE OR IDENTITY CARD

By law, veterans may submit a request to the Department of Veterans Affairs (DVA) to have their status as a veteran on their driver's license or identity card. The bill extends eligibility for this benefit to former service members entitled to military retirement pay under federal law, regardless of age (10 U.S.C. Ch. 1223).

BURIAL IN THE STATE VETERANS' CEMETERY

By law, veterans or their next of kin may apply to DVA for burial in a state veterans' cemetery. The bill extends eligibility for this benefit to National Guard and reservists who do not have active duty service beyond training, as long as they are entitled to receive federal retirement pay (10 U.S.C. Ch. 1223), or if under age 60, would be eligible for such pay.

BACKGROUND

Service in Time of War

Under state law, "service in time of war" means at least 90 or more cumulative days active service in the U. S. armed forces during a statutorily defined period of war, unless the veteran was separated earlier because of a U. S. Veterans' Administration-rated service-connected disability or because the war lasted less than 90 days.

Period of War

“Period of war” is statutorily defined and shown in Table 1.

Table 1: Period of War

<i>Operation</i>	<i>Date</i>	<i>Service Condition</i>
World War II	12/07/1941-12/31/1946	Active service during the war
Korean War	06/27/1950-01/31/1955	Active service during the war
Lebanon Conflict	07/01/1958-11/01/1958 or 09/29/1982-03/30/1984	Combat or combat-support role in Lebanon
Vietnam Era	02/28/1961-07/01/1975	Active service during the war
Grenada invasion	10/25/1983-12/15/1983	Combat or combat-support role in Grenada required
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in Persian Gulf)	07/24/1987-08/01/1990	Combat or combat-support role required in the operation
Panama invasion	12/20/1989-01/31/1990	Combat or combat-support role required in the invasion
Persian Gulf War	08/02/1990 until a date prescribed by the President or law	Active-service anywhere during the war (not necessarily in the Persian Gulf or in a combat role)

Related Bill

sHB 7101, favorably reported by the Veterans’ Affairs Committee, has the same provision extending eligibility for burial in the state veterans’ cemetery.

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 14 Nay 0 (03/02/2017)