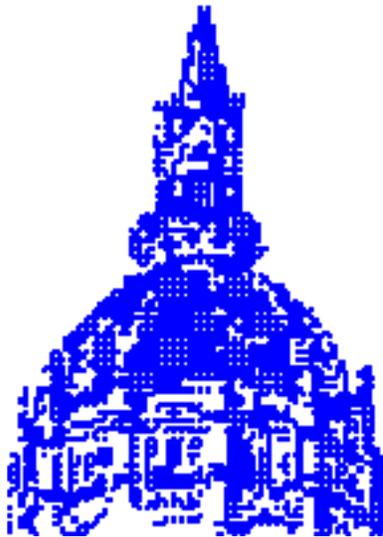


Office of Legislative Research
Connecticut General Assembly



OLR ACTS AFFECTING

Veterans



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2005-R-0568
July 12, 2005

NOTICE TO READERS

This report provides brief highlights of public acts affecting veterans enacted during the 2005 regular and June 2005 special sessions.

Not all provisions of the acts are included; readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's office, or the General Assembly's website (<http://cga.ct.gov/>). Complete summaries of all public acts passed in 2005 will be available in the fall when OLR's *Public Act Summary* book is published; some are now available on the OLR website (<http://cga.ct.gov/olr/OLRPASumsER.asp>)

All acts summarized here are effective October 1, 2005, unless otherwise noted.

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EDUCATION

In-State Tuition for Active-Duty Service Members

A new law makes members of the armed forces stationed in Connecticut under military orders, and their spouses, eligible for in-state tuition at UConn, Connecticut State University, and the community colleges (**PA 05-110**, effective July 1, 2005).

Tuition Waiver

A new law makes domicile, rather than residency, a qualifying criterion for tuition waivers available at Connecticut state colleges for wartime veterans. It also eliminates residency as a criterion for tuition waivers for active members of the Connecticut National Guard. This means that veterans and guard members do not have to live in Connecticut for one year to qualify for tuition waivers (**PA 05-3, June Special Session**, effective July 1, 2005).

FINANCIAL AND TAX BENEFITS

Exemption of Military Retirement Pay from State Income Tax

Starting with the 2008 tax year, a new law exempts 50% of federally taxable military

retirement pay from the state income tax. The exemption applies to federal retirement pay to retired members of the U.S. Army, Navy, Air Force, Marines, Coast Guard, and Army and Air National Guard (**PA 05-251 (§§ 71-73)**, effective upon passage and applicable to income years starting on or after January 1, 2008).

Bonus Program for Certain Guard Member Service

A new law creates a bonus program for current or former Connecticut National Guard members who (1) were called to active service on or after September 11, 2001; (2) served for at least 90 consecutive days; (3) were deployed in a combat zone and, if discharged, were honorably discharged or discharged because of a line-of-duty injury. The amount is \$50 for each month of active service or major part thereof, up to \$500. The member has three years after the operation in which he served ends to apply for the bonus (**PA 05-3, June Special Session**, effective upon passage).

DEATH BENEFITS FOR ACTIVE-DUTY SERVICE

A new law gives death benefits to certain surviving dependents of Connecticut-domiciled, armed forces members and reservists who are killed in action or die from illness or accident suffered

while deployed in active-duty service in Southwest Asia in support of Operation Enduring Freedom or Operation Iraqi Freedom between September 11, 2001 and July 1, 2006 (see Table 1). The state treasurer must make the payments and reduce payments by any amount of death benefit paid under federal law.

Table 1: Death Benefits for Service in Afghanistan and Iraq

<i>Survivor</i>	<i>Amount Payable to Spouse, Guardian, or Dependent Parent</i>	<i>Amount Payable for Dependent Child</i>
Spouse and dependent children under age 18	\$100,000 payable in equal monthly installments over at least 10 years and terminating on spouse's death or remarriage during "said ten-year period"	\$50 monthly for each dependent child until the child reaches age 18, payable to the member's spouse or child's guardian
A dependent child under age 18 and no spouse	\$100,000 payable in equal monthly installments over at least 10 years to the children's guardian until the youngest child reaches age 18 during "said ten-year period"	\$50 monthly for each dependent child payable to the guardian until the child reaches age 18
A spouse	\$50,000	NA

<i>Survivor</i>	<i>Amount Payable to Spouse, Guardian, or Dependent Parent</i>	<i>Amount Payable for Dependent Child</i>
and no dependent children under age 18	payable in equal monthly installments over at least five years and terminating on the spouse's death or remarriage "such five-year period"	
No spouse and no children under age 18 but dependent parents	\$50,000 payable to the parent in equal monthly installments over at least five years; if one parent dies, the payment continues for the other parent and ends with the death of the last surviving parent during "such five-year period"	NA

(PA 05-3, June Special Session, effective July 1, 2005)

MILITARY SUPPORT

Family Relief Fund

A new law establishes the Military Family Relief Fund, funded in part by taxpayer

donations, to make grants to immediate relatives of Connecticut-domiciled, armed forces members on active duty, including guard members, facing hardship because of the member's service (**PA 05-3, June Special Session**, effective upon passage). Taxpayers filing returns for tax years starting on or after January 1, 2005, may contribute all or part of their personal income tax refund to the fund by indicating this on their tax returns (**PA 05-3, June Special Session**, effective July 1, 2005 and applicable to taxable years commencing on or after January 1, 2005).

Volunteer Service Program

A new law requires the National Guard to establish a program to provide volunteer service to armed forces members, including guard members, on active duty and residing in Connecticut. Under the program, a volunteer service coordinator works with towns and local organizations throughout the state to provide volunteer services to the members and their families. The volunteer service coordinator must identify and help towns and organizations that provide volunteer services to members and their families in communities throughout the state (**PA 05-3, June Special Session**, effective upon passage).

Therapy Support Groups

A new law requires the National Guard to publicize to all members of the armed forces, including guard members, and their families the availability throughout the state of therapy support groups for them. The publicity must include contact information for referral to support groups in locations that are convenient for them (**PA 05-3, June Special Session**, effective upon passage).

Veterans' Toll-Free Phone Number

A new law requires the Veterans' Affairs Department to provide a toll-free number that service personnel, including guard members, and their families can call every day, including holidays, for information about, and referrals to, entities that provide benefits and services available to them. The number must be staffed by trained volunteers or department employees working on weekdays during regular business hours and on weekends and holidays from 9 a.m to 5 p.m (**PA 05-3, June Special Session**, effective July 1, 2005).

Registry of Veterans and Service Personnel

A new law requires the Veterans' Affairs Department to maintain a registry of armed forces members, including guard

members, and honorably discharged veterans to facilitate notification of listed persons about benefits and services available to, and legislation affecting, them. The list is not subject to disclosure under the Freedom of Information Act. Anyone can get his name removed from it by notifying the Veterans' Affairs Department in writing (**PA 05-3, June Special Session**, effective July 1, 2005).

HEALTH

Depleted Uranium Effects on Military Personnel

Beginning October 1, 2005, a new law requires the adjutant general and the veterans' affairs commissioner to help eligible guard members and veterans get federal treatment services, including a best practice health screening test for exposure to depleted uranium, if they (1) are assigned a risk level I, II, or III for depleted uranium exposure by their branch of service; (2) are referred by a military physician; or (3) have reason to believe that they were exposed to depleted uranium during service. The best practice uranium test must use (1) a bioassay procedure involving methods sensitive enough to detect depleted uranium at low levels and (2) equipment capable of discriminating between different radioisotopes in naturally occurring levels of uranium and the characteristic ratio and

marker for depleted uranium. State funds cannot be used to pay for the tests or other federal treatment services.

By October 1, 2005, the adjutant general must report to the Veterans' Affairs Committee on the scope and adequacy of training guard members receive on detecting whether their service exposed them to depleted uranium. The report must include an assessment of the cost and feasibility of adding predeployment training on exposure to uranium and chemical substances and recommended precautions in a combat zone (**PA 05-3, June Special Session**, effective upon passage).

Depleted Uranium Task Force

A new law establishes a task force to study, within available appropriations, the health effects of the exposure to hazardous material, including depleted uranium, as it relates to military service. The task force must:

1. commission a study to consider the health of service members who may have been exposed to hazardous material since August 2, 1990 and conduct a scientific conference on those health effects;
2. initiate a health registry for veterans and military personnel returning from Afghanistan, Iraq, or other countries in which

- depleted uranium or other hazardous material may be found;
3. develop a plan for outreach to, and follow-up, of military personnel;
 4. prepare a report for service members about potential exposure to depleted uranium and other toxic substances and precautions recommended in combat and noncombat conditions while in a combat zone; and
 5. make any other recommendations (**PA 05-3, June Special Session**, effective upon passage).

WORKERS' COMPENSATION BENEFITS

A new law places state armed forces personnel, when on state active-duty service, under the state workers compensation system, which is currently available to all state workers (**PA 05-236**, effective July 1, 2005).

MISCELLANEOUS

Veterans' Department Annual Reports

A new law requires the Veterans' Affairs Board of Trustees to also submit copies of its annual reports to the Veterans' Affairs Committee, instead of just the governor and Public Safety and Security

Committee (**PA 05-3, June Special Session**, effective upon passage).

Money for Sub Base Improvement

A new law provides up to \$10 million in bonds for improvements at the Groton sub base (**PA 05-143**, effective July 1, 2005).

Pilot for Coast Guard Academy

A new law requires the Office of Policy and Management (OPM) to make an annual \$500,000 payment in lieu of taxes (PILOT) to New London for the U.S. Coast Guard Academy, which is exempted from municipal property taxes. OPM cannot adjust the amount. By law, the PILOTs reimburse towns for a statutorily specified percentage of the taxes the town would have collected from a property if it had not been tax-exempted. But OPM must reduce proportionally each town's PILOT if budgeted funds cannot pay all towns their entitled amount. This new law exempts the Coast Guard PILOT from this requirement (**PA 05-3, June Special Session**, effective July 1, 2005).

Awards

A new law requires the veterans' affairs commissioner, in conjunction with the adjutant general, to award a ribbon and medal to wartime veterans who

lived in Connecticut when they were called to active-duty service or are domiciled here on the date of the award. They cannot make awards posthumously (**PA 05-3, June Special Session**, effective July 1, 2005).

Another new law allows the adjutant general to issue service ribbons to members of the organized militia, instead of just guard members; changes the eligibility criteria for guard member ribbons; and establishes the same criteria for awards to militia members. The law also requires the adjutant general to issue a bronze star instead of "succeeding awards," and it requires a silver star to be worn instead of five bronze stars (although it does not specifically authorize the award of silver stars) (**PA 05-21**, effective upon passage).

Property Tax

A new law authorizes a municipality, by ordinance, to waive interest due on any property tax or tax installment for up to one year for real property assessed on the 2003 grand list for a resident who lives with, and is the spouse of, a service member or reservist called to active service for military operations authorized by the President in Iraq and who is serving in the Middle East on the final day that the property tax or tax installment is due (**PA 05-3, June Special Session**, effective upon passage).

Professional and Occupational License

Dentists in the Armed Forces. A dentist who applies to have his license reinstated after it has lapsed must show the Department of Public Health (DPH) that he completed 12 contact hours during the preceding year. A new law gives a dentist whose license lapsed while he was on active military service one year from his date of discharge to complete 12 contact hours; the law requires other health care providers in this situation to complete their continuing education requirements within six months of discharge (**PA 05-213**).

Physicians in the Armed Forces. Under this new law, DPH must renew a physician's license that becomes void for nonrenewal because he is on active duty in the armed forces within one year from the discharge date upon completion of 25 contact hours of continuing education. The physician must apply to DPH and provide any documentation required. Under prior law, DPH had to renew a license in such a situation within six months from the discharge date (**PA 05-275**).

Indemnification of Armed Forces Members

A new law immunizes members of the state armed forces from personal liability for damage or injury caused when

performing any state active-duty military service, as long as their actions are not wanton, reckless, or malicious. By law, they are already immune from civil and criminal liability if, when on riot duty service, they kill or injure anyone resisting the law or unlawfully or riotously assembled (**PA 05-79**, effective upon passage).

Mortgage Loan Applications

A new law requires federal credit unions to keep on file home mortgage loan application of reservists or guard members called to active duty. They must keep the application for 26 months if the member submits, within 30 days of being activated, a written statement showing that he has been activated and wants the application maintained.

If he returns from active duty no later than two years after submitting the application and submits, no later than 60 days after being discharged, a written statement to the credit union verifying that there have been no material change in his income, assets, debts, and employment, the credit union must finalize the loan with the same terms and conditions it offered at the time of application. It must offer them any new terms or conditions being offered to the public during the time when the loan is finalized.

All of these provisions already apply to Connecticut banks and credit unions that make such

loans, certain other for-profit mortgage lending institutions, and federal banks (**PA 05-46**).

Fitch Fund

Effective July 1, 2005, a new law requires the state treasurer to consolidate the Fitch Fund and the Posthumous Fund of Fitch's Home for the Soldiers and names the consolidated fund the Fitch Fund. As was the case with the former funds, the treasurer must hold the consolidated fund in trust and credit its income to the Veterans' Affairs Department. And the department must use the income for the welfare and entertainment of residents of the Veterans' Home or other homes the state establishes to care for veterans, and to pay any lawful claims against the fund (**PA 05-51**, effective July 1, 2005).

Commemorative Road Names

A new law designates commemorative names for various state highway segments (**PA 05-210**, effective upon passage).

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