

Office of Legislative Research
Connecticut General Assembly



OLR ACTS AFFECTING

VETERANS AND THE MILITARY



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NOTICE TO READERS

This report summarizes new laws affecting Veterans and the Military passed during the 2013 regular session.

We encourage readers 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://www.cga.ct.gov/>.

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CONNECTICUT NATIONAL GUARD MEDAL OF ACHIEVEMENT

PA 13-247, § 114 establishes a medal of achievement to be awarded to any Connecticut National Guard member for outstanding achievement or meritorious service during military service ordered by the governor, including state service, federal service, and emergency service in other states conducted under the emergency management assistance compact.

The act requires the adjutant general to appoint and work with two officers of field grade (i.e., the rank of major in the Army, Air Force, and Marines) or above to constitute a board to select medal recipients from recommendations made through military channels, within available appropriations.

Under the act, recipients receive a bronze oak leaf cluster for succeeding awards and a silver oak leaf cluster must be worn in place of five bronze clusters.

EFFECTIVE DATE: Upon passage

DISPLAY OF FLAGS AT HALF-STAFF AND ON CEMETERY GRAVES

PA 13-44 makes changes affecting the display of U.S. and state flags (1) at half-staff following the death of certain government officials, citizens, or armed forces members and (2) at veterans' graves before Memorial Day.

The act conforms state law to federal law by authorizing the governor to issue a proclamation ordering the national flag to be flown at half-staff following the death of (1) a present or former principal figure of state government or (2) an armed forces member, from Connecticut, who dies in the line of duty. When the governor issues such a proclamation, the state flag must also be flown at half-staff.

The act also authorizes the governor to issue a proclamation ordering that the state flag alone be flown at half-staff following the death of a state official or prominent citizen.

After the governor issues either type of proclamation, the act requires all state government buildings and offices, public schools, and military bases to fly the national and state flags in accordance with the order.

Also, prior law prohibited towns, cemetery associations, or ecclesiastical societies that care for cemeteries from enacting

bylaws that restrict U.S. flags' display at veterans' graves from the Saturday before Memorial Day until the Monday following the 4th of July. The act lengthens this period by one day, beginning it on the Friday before Memorial Day.

EFFECTIVE DATE: Upon passage, except the provision concerning U.S. flags displayed at veterans' graves is effective October 1, 2013.

ELIGIBILITY FOR UNEMPLOYED ARMED FORCES MEMBER SUBSIDIZED TRAINING AND EMPLOYMENT PROGRAM

PA 13-63 expands eligibility for the state's Unemployed Armed Forces Subsidized Training and Employment Program to include all unemployed, honorably discharged U.S. armed forces members (Army, Navy, Marines, Coast Guard, Air Force, reserves, and state National Guards performing federal duty) who served for at least 90 days. Eligibility under prior law required the 90 service days to have been in a combat zone in Afghanistan or Iraq. As under prior law, the act's 90-day requirement does not apply if the veteran was separated from service due to a service-related disability rated by the Veterans' Administration.

The Unemployed Armed Forces Subsidized Training and Employment Program offers wage

subsidies and training grants to certain employers that hire eligible unemployed veterans. It is administered by the state Department of Labor.

EFFECTIVE DATE: Upon passage

HONORARY DIPLOMAS FOR VIETNAM VETERANS

PA 13-57 allows local and regional school boards to award high school diplomas to Vietnam Era veterans who left high school for military service before graduating, as they can already do for World War II and Korean War veterans. The act covers honorably or generally discharged veterans who served actively from February 28, 1961 to July 1, 1975 in the U.S. Army, Navy, Marine Corps, Coast Guard, or Air Force or any of their reserve components, including the Connecticut National Guard performing certain duty under federal law (U.S.C. Title 32, regarding certain homeland security missions).

EFFECTIVE DATE: Upon passage

MILITARY LEAVE FROM EMPLOYMENT

PA 13-49 extends employment protections already afforded to employees who are U.S. armed forces reservists or National Guard members to all members of the state armed forces who take time from their employment to perform ordered military duty and (2) expands the

type of protected duty from meetings and drills to all ordered military duty. Workplace protections include (1) being permitted a leave of absence when the member is ordered to military duty, including meetings and drills, during regular working hours, and (2) protection from loss of vacation or holiday privileges, or prejudice in promotions, continuances, or reappointments of employment due to absences. In general, federal law similarly protects U.S. military members when performing federal duty.

The act's protections cover employees serving in (1) Connecticut's organized militia, National Guard, naval militia, or Marine Corps branch of the naval militia or (2) any reserve component of the U.S. Army, Navy, Marine Corps, Coast Guard, or Air Force, including the Connecticut National Guard performing certain duty under federal law (U.S.C. Title 32, regarding certain homeland security missions). Under prior law, these protections covered only U.S. armed forces reservists and National Guard members.

EFFECTIVE DATE: October 1, 2013

MUNICIPAL OPTION FOR AN ADDITIONAL PROPERTY TAX EXEMPTION FOR 100% DISABLED VETERANS

PA 13-224 allows municipalities to increase the additional property tax exemption for "100% disabled" veterans with limited income from two times the veteran's base exemption to three times that exemption.

By law, 100% disabled veterans are eligible for various property tax exemptions, such as one covering \$3,000 worth of their property, plus an additional amount reflecting higher municipal property revaluation. Those 100% disabled veterans whose total adjusted gross household income is no more than \$18,000, if single, or \$21,000, if married, are eligible for an additional exemption of two times the base amount of one of these tax exemptions. (If such veterans have more income than the statutory limits, they are eligible for an additional exemption of only one and a half times the base exemption.)

Under the act, municipalities may provide an exemption of three times the base exemption, instead of twice the base exemption, to veterans whose federally taxable total adjusted gross household income and other income, excluding veterans' disability payments, falls below \$18,000, if single, or \$21,000, if married. A municipality's

legislative body or board of selectmen, as appropriate, must approve the three-times exemption.

By law and under the act, the state reimburses municipalities for the loss of revenue from additional exemptions either fully, or prorated to the amount appropriated for reimbursements associated with these exemptions. The state does not reimburse municipal revenues lost due to the additional exemption available to veterans with income over the statutory limits.

The act requires the Office of Policy and Management (OPM) to adopt regulations that establish the procedures by which (1) municipalities determine a veteran's eligibility for the new, triple-the-base exemption; (2) municipalities apply for reimbursement from the state for revenues lost due to the exemption; and (3) OPM audits and adjusts municipalities' reimbursement applications. Existing law requires OPM to adopt similar regulations governing existing exemptions.

EFFECTIVE DATE: October 1, 2013 and applicable to tax assessment years on or after October 1, 2013.

NEW ENGLAND DISASTER TRAINING CENTER ACTIVITY ACCOUNT

PA 13-113 establishes the New England Disaster Training Center activity account as a separate, nonlapsing General Fund account and authorizes the adjutant general to use the money in the account to operate the New England Disaster Training Center. The account must contain any money (1) the law requires to be deposited in it or (2) obtained from the proceeds of the center's operational activities. The act also authorizes the adjutant general to apply for and accept public or private gifts, grants, and donations to fund the account.

The center, located in Camp Hartell in Windsor Locks, Connecticut, provides facilities and training to civilian and military emergency responders to build, practice, and integrate clinical, logistical, and leadership skills in disaster response.

EFFECTIVE DATE: July 1, 2013

RESALE OF DOGS TO MILITARY AND LAW ENFORCEMENT AGENCIES

PA 13-39 exempts from pet shop licensing requirements people who acquire dogs to resell them to the military or a law enforcement agency for law enforcement or security work. Thus, these people will no longer be subject to the Department of

Agriculture's pet shop regulations governing sanitation, animal health and welfare, and the protection of public safety.

By law, unless exempted, anyone acquiring a dog or cat for resale must obtain a pet shop license from the agriculture commissioner. A violation is a class B misdemeanor, punishable by up to six months in prison, a fine of up to \$1,000, or both.

EFFECTIVE DATE: Upon passage

RESTORING BENEFITS TO VETERANS DISCHARGED UNDER "DON'T ASK, DON'T TELL"

PA 13-48 makes veterans eligible for state benefits if they:

1. were denied or would be denied such benefits because they were ineligible for federal benefits,
2. were denied federal benefits based solely on their orientation under a federal policy prohibiting homosexuals from serving in the armed forces, and
3. had their eligibility for federal benefits reinstated.

The act requires, to the extent practicable, the Department of Veterans' Affairs to inform veterans of legal services organizations that will help them get military discharge upgrades and reinstated federal benefits. The department must (1) post information on its website, with

links to the organizations' websites, and (2) distribute the organizations' pamphlets at department offices and facilities and to local veterans' advisory committees. These local committees are established by municipalities to coordinate local, state, and federal programs for veterans. These include programs regarding reemployment, education, vocational training, rehabilitation services, and providing veterans' benefits.

EFFECTIVE DATE: October 1, 2013

SERVICE MEMBER EXEMPTION FROM MINIMUM TIME TO HOLD AN ADULT INSTRUCTION PERMIT BEFORE OBTAINING A DRIVER'S LICENSE

PA 13-271, § 50 exempts adult armed forces members on active duty outside the state from a new requirement to hold an adult instruction permit for more than 90 days before the motor vehicles commissioner can issue them a driver's license.

EFFECTIVE DATE: Upon passage

SOLDIERS, SAILORS, AND MARINES FUND

PA 13-247, §§ 121-122 generally puts the Soldiers, Sailors, and Marines Fund (SSMF) under the American Legion's (AL) control by eliminating provisions that allowed the (1) Finance Advisory

Committee to appropriate General Fund money to the SSMF, under certain conditions, and (2) comptroller to transfer excess SSMF interest earnings to the General Fund. It also allows the AL to (1) consult with the state treasurer about investing SSMF assets and (2) utilize up to \$300,000 to administer the fund. By law, the AL administers the fund.

The act requires the AL to, on or before Jan. 15 biennially, cause an independent audit of the SSFM. The audit report must include:

1. a detailed description of the fund investments;
2. a description of investment returns, including interest, dividends, realized capital gains, and unrealized capital gains organized by investment type;
3. a list of operating expenditures that describes the type and amount of each expenditure;
4. a list of the number of grant recipients each month;
5. the fund balance and interest earned for the current year and an estimate of them for the subsequent year; and
6. other information the treasurer requires.

The act further requires the AL to (1) report the audit's findings to the Finance, Revenue, and Bonding and Veterans' Affairs committees within 7

business days of receiving the report and (2) make the report publically available in paper and electronic form.

EFFECTIVE DATE: July 1, 2014

STATE MILITARY EMERGENCY SERVICE AND OUTSTANDING UNIT AWARDS

PA 13-247, §§ 115-116

makes changes to provisions allowing the Military Department to award service ribbons to state armed forces members for emergency service and to Connecticut National Guard members for membership in an outstanding unit. By law, award recipients receive a bronze oak leaf cluster for succeeding awards. The act requires repeat recipients to wear a silver oak leaf cluster instead of five bronze clusters, rather than allowing them to wear a silver cluster instead of three bronze clusters, as under prior law.

EFFECTIVE DATE: Upon passage

STATE MILITARY RELIEF FUND

PA 13-107 (1) expands the group of people eligible to receive grants from the Military Family Relief Fund to include armed forces members and (2) caps the amount of any grant at \$5,000. Under prior law, the Military Family Relief Fund provided grants to the immediate family members of Connecticut-domiciled armed forces members

to help pay for essential household goods or services, if paying for them would be a hardship for the family because of the member's service. The act changes the name of the fund to the Military Relief Fund.

The act requires, rather than allows, the Military Department to adopt regulations governing the fund. It also requires the department to report on the status of the fund to the Veterans' Affairs Committee annually, on or before February 15, instead of quarterly.

EFFECTIVE DATE: July 1, 2013

STATE MILITARY SERVICE

PA 13-25 updates and changes several laws pertaining to the state's armed forces personnel and Military Department. It:

1. permits unpaid state military duty for the state's armed forces members and its retirees with the consent of both the governor and service member, and credits such unpaid duty toward retirement and other benefits;
2. makes changes concerning paid duty, including the elimination of additional state remuneration beyond salary for certain service members and expenses reimbursement for other members;
3. gives the state's armed

forces, and its retirees when performing state military duty, the same workers' compensation, liability, and immunity protections as state employees and compensates injured or killed members according to the greater of their respective civilian salary or the state's average production wage, without prorating this compensation due to the member's other employment;

4. repeals two death benefit statutes;
5. changes how certain military service is defined for state employees' benefits;
6. removes the Military Department from the Department of Emergency Services and Public Protection, where it was previously housed for administrative purposes only; and
7. expands the places veterans' memorials can be placed.

EFFECTIVE DATE: October 1, 2013, except the veterans memorials provisions, which is effective upon passage.

**TASK FORCE TO STUDY THE
USE OF MILITARY
OCCUPATIONAL SPECIALTY
TRAINING AS A SUBSTITUTE
FOR STATE LICENSING
REQUIREMENTS**

SA 13-5 establishes a 14-member task force, co-chaired by appointees of the House speaker and Senate president pro tempore, to help veterans secure employment by studying military occupational specialty training and determining if this training is equivalent to or could substitute for the state's occupational, professional, or trade license training requirements. The act requires the task force to (1) recommend what specific military occupational specialty training can satisfy certain state licensing requirements and (2) report its findings and recommendations to the Veterans' Affairs Committee by January 1, 2014.

Under the act, the task force consists of the following officials, or their designees:

1. Consumer Protection, Education, Labor, Veterans' Affairs commissioners;
2. Military Department adjutant general;
3. Office of Military Affairs executive director;
4. Board of Regents for Higher Education president; and

5. Office of Financial and Academic Affairs for Higher Education executive director.

The task force also includes appointees by each of the 6 legislative leaders.

EFFECTIVE DATE: Upon passage

**VETERAN-OWNED SMALL
BUSINESS REGISTRY**

PA 13-247, § 134 requires Department of Economic and Community Development (DECD), within available resources, to create and maintain a data registry that tracks small businesses in the state that are owned and controlled by either veterans or service-disabled veterans (those with service-connected disabilities). The registry must include the (1) name of the veteran or veterans who own the business and (2) type and location of the business. DECD must annually request this information from the U.S. Department of Veterans Affairs and any other appropriate state or federal agencies.

The act also requires DECD to report annually to the Veterans' Affairs Committee on the number of these businesses.

EFFECTIVE DATE: Upon passage

**VETERANS' SERVICE
CONTACT PERSON
DESIGNATED BY CITIES AND
TOWNS**

PA 13-34 requires any municipality to designate an employee to be its veterans' service contact person if it does not (1) have a local veterans' advisory committee or (2) fund a veterans' service officer. It specifies that that contact person must:

1. coordinate all matters concerning veterans and their dependents;
2. coordinate public and private facilities concerned with veterans' reemployment, education, rehabilitation, and adjustment to peacetime living;
3. cooperate with all national, state, and local government and private agencies in securing services and benefits to which a veteran or his or her dependents may be entitled;
4. encourage and coordinate veterans' vocational training services; and
5. work with veterans organizations as much as possible to carry out these activities.

The act requires the Department of Veterans' Affairs' Veterans' Advocacy and Assistance Unit to conduct an annual training course for such contact persons and allows, but does not require, the contact persons to complete that course.

EFFECTIVE DATE: October 1, 2013

**VOTING BY MEMBERS OF THE
MILITARY SERVING
OVERSEAS**

PA 13-185 requires that, by October 1, 2013, the secretary of the state, in consultation with the Military Department, select a method for members of the armed forces stationed abroad and their family members living with them to return their voted overseas absentee ballots for any election or primary held after September 1, 2014. The method must (1) give due consideration to ballot security and privacy and (2) ensure that the municipality receives the ballot before the polls close, when the voter properly uses the method.

The secretary must submit a report to the Veterans' Affairs and Government Administration and Elections committees by January 1, 2014 describing the method and legislative changes necessary for its implementation.

The act applies to two types of write-in, overseas absentee ballots: (1) one that is available 90 days before Election Day and (2) one for primaries and

elections that is available when the list of candidates and questions to be voted on is set. It covers armed forces members and their family members, not other individuals living or traveling abroad who may vote using the second of these ballots. By law, "members of the armed forces" are active service members of the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, Merchant Marines, or Coast and Geodetic Survey ([CGS § 9-134](#)).

EFFECTIVE DATE: Upon passage

WAIVER OF MOTORCYCLE TEST FOR SERVICE MEMBERS

PA 13-271, § 14 allows the motor vehicles commissioner to waive certain requirements for motorcycle license endorsement applicants who can produce documents showing that they (1) are on active military duty with the U.S. Armed Forces; (2) are stationed outside Connecticut; and (3) within two years before applying, have completed a novice motorcycle training course conducted by a firm using the Motorcycle Safety Foundation curriculum. Under these circumstances, the act allows the commissioner to waive requirements that an applicant without a motorcycle instruction permit take a test showing that he or she is a proper person to operate a motorcycle, knows

enough to operate it safely, and has a satisfactory knowledge of the rules of the road.

EFFECTIVE DATE: July 1, 2013

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