

Legislative History for Connecticut Act

PA 16-52

HB5358

Senate	2666, 2746-2747	3
Veterans' Affairs	7, 8, 41-47, 109, 110, 162-164	14

House Transcripts have not been received. They are available on CGA website, but are not the Official copy. Contact House Clerk for assistance (860) 240-0400 **17**

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2016**

**VOL. 59
PART 8
2400 – 2750**

cf
Senate

222
May 3, 2016

SENATOR DUFF (25TH):

On calendar page 22, Calendar 516, House Bill 5358,
I'd like to place that item on our Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. And if the clerk can now call calendar page 36, Calendar 169, Senate Bill 266. And if we can stand at ease -- oh, here we go. Oh, stand at ease for a moment, please.

THE CHAIR:

Chamber will stand at ease.

Chamber will come back to order.

Senator Flexer, you have the floor, Madam.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is acceptance and passage.

SENATOR FLEXER (29TH):

Senate Bill 351, on page 2, Calendar 157, Senate Bill 69. Page 4, Calendar 341, Senate Bill 328, page 5, Calendar 375, House Bill 5296, page 6, Calendar 384, House Bill 5393. Also on page 6, Calendar 383, House Bill 5430. On page 7, Calendar 385, House Bill 5254. Page 8, Calendar 393, House Bill 5255, page 11, Calendar 440, House Bill 5252. On page 14, Calendar 475, House Bill 5627, Page 15, Calendar 477, House Bill 5072. Page 18, Calendar 498, House Bill 5513, Page 19, Calendar 502, House Bill 5526. Page 20, Calendar 504, House Bill 5403. Page 22, Calendar 516, House Bill 3 -- I'm sorry -- 5358. Page 22, Calendar 519, House Bill 5053. On page 24, Calendar 533, House Bill 5605, Calendar 532, House Bill 5335, Calendar 530, House Bill 5498, and Calendar 534, House Bill 5621. On page 27, Calendar 549, House Bill 5416. Also on page 27, Calendar 546, House Bill 5571. Page 28, Calendar 552, House Bill 5180. On page 30, Calendar 563, House Bill 5412. Page 31, Calendar 567, House Bill 5537. Page 31, Calendar 569, House Bill 5620. On page 32, Calendar 571, House Bill 5435. Page 34, Calendar 583, House Bill 5400. On page 35, Calendar 586, House Bill 5521. Page 36, Calendar 169, Senate Bill 266. Page 37, Calendar 207, Senate Bill 327. Page 39, Calendar 361, Senate Bill 15. Page 41, Calendar 246, Senate Bill 88. Also on page 41, Calendar 464, House Joint Resolution Number 38. Calendar 465, House Joint Resolution 43. On page 42, Calendar 466, House Joint Resolution 99. Page 42, Calendar 467, House Joint Resolution 121. Also on page 42, Calendar 468, House Joint Resolution Number 133, and on page 43, Calendar 470, House Joint Resolution Number 136.

THE CHAIR:

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Senate

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Okay. The clerk shall announce pendency of a roll call vote on the Consent Calendar. The machine is open. Please cast your vote.

THE CLERK:

Immediate Roll Call has been ordered in the Senate. Immediate Roll Call on today's Consent Calendar has been ordered in the Senate.

THE CHAIR:

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

On today's Consent Calendar.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar is done. Senator Duff, for what reason do you rise?

SENATOR DUFF (25TH):

Many reasons, Madam President, thank you. Madam President, I move that all items that require action

**JOINT
STANDING
COMMITTEE
HEARINGS**

**VETERANS'
AFFAIRS**

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**2016
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VETERANS' AFFAIRS COMMITTEE

February 23, 2016

1:00 P.M.

COLONEL TOMCHO: Actually, it's Brigadier General Russo.

UNIDENTIFIED SPEAKER: General Russo. He's coming on behalf of another --

REP. HENNESSY (127TH): Okay. Thank you, Brigadier General.

BRIGADIER GENERAL RUSSO: Senator Flexer, Representative Hennessy, on behalf of General Martin, who cannot be here today, I'm grateful to appear and testify on important military legislation pending before you. I believe you have a letter -- a copy of a letter from General Martin in front of you.

I'm General Russo, Assistant Adjutant General, Army, for the state of Connecticut; 41 years of grateful service to our nation and our state; both active duty and Guard, again, representing our agency and General Martin.

I'm accompanied by -- I'm sure you know Lieutenant Colonel Tomcho, our judge advocate and the legislative liaison.

HB 5360

SB 207

HB 5358

HB 5359

SB 204

SB 206

There's really six bills identified in a letter -- in the letter representing priorities for the adjutant general. They accomplish items that we feel will benefit the citizens of Connecticut, and the Military Departments, state of Connecticut.

The S.B. 217 the Governor's non-discrimination bill really updates the statutes and conforms to current policies and practices of our military and -- and -- in a way that we already kind of manage our -- our

military.

H.B. 5360 ensures that whoever the adjutant general is has Guard experience ensuring expert knowledge advising the Governor on matters integrating our federal forces and assets in times of emergencies to help save life and limb.

S.B. 207 allowing the Connecticut medal of merit to be presented to our militia, along with other services in recognition of superior state military service.

And H.B. 5358 further contributes our -- our militia's financial independence by expanding the pool of possible tenants and directs those dollars back to the horse Guard.

And H.B. 5359 allows our state contracting officer flexibility to expend up to \$2 million in -- in-house -- in-house construction.

And a repeal of S.B. 204 which conflicts -- currently conflicts with federal law prohibiting simultaneous -- simultaneous membership in the United States Reserves and the Governor's Guard.

And finally, just a note on S.B. 206, we would just ask the Committee to delay until we can coordinate the bill with -- with the proper authorities involved.

Now I'd like to thank the Veterans' Affairs Committee and offer to answer any questions that you may have. Thank you.

REP. HENNESSY (127TH): Thank you, General. Are there any questions? Senator.

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February 23, 2016

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VETERANS' AFFAIRS COMMITTEE

1:00 P.M.

that we charge them \$30.

So I ask that you please support this bill. You know, it's \$30, but again, it's for everybody that served our country and made us great. So, thank you. If you have any questions I'd be more than happy to answer them.

REP. HENNESSY (127TH): Thank you very much for your testimony and for advocating for your constituent on such a laudable issue. Representative Yaccarino.

REP. YACCARINO (87TH): Thank you, Mr. Chair. Thank you for your testimony and your support.

I know we almost had this passed last year, and the thing here is that this gentleman did ask but he would have never paid for it in the first place. So it's really -- not really a loss to the state because the -- they're qualifying for this \$30 -- this flag. So I -- I think we -- most of us support this bill and I want to thank you for your efforts and hopefully we get this rectified this year.

I know we came close last year, and hopefully we do it this year. Thank you, Representative Zupkus.

REP. HENNESSY (127TH): Thank you. Any other questions or comments? Seeing none, thank you very much.

Representative Sredzinski. Representative Bolinsky. I'm sorry, Representative Sredzinski. Sredzinski. Sorry.

HB 5358
REP. SREDZINSKI (112TH): Thank you, Mr. Chair. I

know it's not an easy last name, so I appreciate it.

Thank you for the time to testify today in support of H.B. 5358. Chairman Hennessy, Chairwoman Senator Flexer, the Vice Chairs and the ranking Members; I have testimony submitted to the Committee, and instead of reading it, I'm just going to briefly talk about my testimony, why I'm here to talk about it.

Basically I represent Monroe and a portion of Newtown, and in Newtown we have the Second Company Governor's Horse Guard, which I'm sure many of you are familiar with. It's a ceremonial branch of the Connecticut military which performs functions at parades, and different ceremonial events. It also does a numerous -- a number of different events for the community. They bring in a number of visitors to Newtown and its surrounding area. They do a lot of fundraising for local organizations, and they also are a great advocate for our history and our old-time militia, if you will.

One of the recent issues that the Second Company, as well as the First Company Horse Guards have faced, is with our difficulty in state budgeting. Their funding has been cut every budget year for the last few budget cycles; which understandably so, which something that is -- something that's a -- in my opinion is a very important service, but is not a core service of the state government. However, it provides an important service to not only the area, but the entire state; as a result part of the funding cuts have occurred.

The horse guards have been coming together to try to figure out how to raise funds to alternately fund their organization. The biggest cost to the horse

guard is taking care of the horses. You can't have a horse guard without the horses. The volunteer work is all volunteer -- voluntary. The service that is done is done purely by people who volunteer their time; however, horses cost money to feed, to maintain, take care of veterinary services and the such. So, these costs need to be paid for by someone.

The state has in this bill put forward a measure to allow the horse guards to do their own fundraising by allowing the rental and leasing of some of their facilities. In my opinion it's a win/win situation. We have empty spaces at the barracks that we could use to house horses and private owners. There are insurance requirements that are put forth in the bill to prevent any liability issues. This is supported by the Military Department as I heard testified earlier, so I believe this is a win/win and something that would help carry forward the tradition and honor of the horse guards.

So, unless you have any questions?

REP. HENNESSY (127TH): Thank you very much. Any questions? Seeing none, thank you very much for your testimony.

Representative Bolinsky. Please identify yourself as you begin.

HB 5358

REP. BOLINSKY (106TH): Thank you very much Committee Members. My thanks to Co-Chairs Senator Flexer and Representative Hennessy, Vice Chairs Senator Gomes, Representative Nicastro and -- wow, mood lighting. This is cool -- also to -- to my respected ranking Members, Senator Martin and Senator Yaccarino.

It's my pleasure to be here today before you. My name is Mitch Bolinsky; I represent the 106th District in the House of Representatives. My territory is Newtown and Sandy Hook, so I'm a single town legislator, and sitting right in the middle of my town is the Second Company Governor's Horse Guard.

And I am here to speak to you about H.B. 5358, which I am in incredibly strong support of. This bill, as was said by Representative Sredzinski, allows for the leasing of excess facility space at the Governor's Horse Guards, both in Avon and my hometown of Newtown. And the purpose solely here is to fundraise and support the horse guard units.

These facilities are both absolutely exceptional facilities, and they both also have high-quality, surplus stall, paddock, arena and field space due to historical reductions in the herd size.

So, through the past six budget years, these guard units have had their budget cut to zero. And we've saved them, pulling them basically out of the fire at the 11th hour, 59th minute, and 59th second of -- of the last three long budget years.

So, this particular proposal before you -- and again, you have my written testimony, so I am not reading from it. The reason this proposal is incredibly exciting is because it represents the kind of out-of-the-box thinking that this legislature, and the state of Connecticut, needs to put together so that we can actually get ourselves to the point of fiscal sustainability and balance our budgets.

So, here we are with two units -- I'll speak only to the horse guards. These are two units that operate on a shoestring as the representative prior to me referenced. The labor is volunteer. The facilities are owned. And they operate on a shoestring; very, very little money whatsoever. So, that's why we've been able to pull them out of the -- out of the fire each time.

But, because of the quality of these facilities, and the excess space, thinking out of the box, General Martin, and I'm going to tip my hat as well to my recently retired commandant of the Second Guard unit, Gordon Johnson, for coming up with this plan which will generate revenue by leasing stall space, arena space, et cetera, to qualifying not-for-profit organizations. There's extensive protections in this bill so that the facility doesn't turn into a circus. And as -- as J.P., Representative Sredzinski also said, there are insurance provisions to protect the state and the Military Department.

But this arrangement, what it will do ultimately, in this outside-the-box thinking, is create two self-sustaining units and remove the budgetary pressure in future sessions. In essence, these units not only will be able to sustain -- sustain themselves financially, but they will return money to the Military Department as well. They are going to turn a profit in excess of that which they consume.

Ultimately, that's earmarked to go back to the horse guards to support them, but at some point we're going to have to come before you and we're going to have to ask for a revision to this so that we can return money to the general fund. When was the last time you heard

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VETERANS' AFFAIRS COMMITTEE

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that? Okay? I am not before you asking for money; I am not before you asking for anything other than taking this wonderful concept as been brought to you by the Military Department, and just saying yes, yes, yes.

Personally, I'm going to conclude by saying what I hope to say on the floor of the House with this bill; good bill, ought to pass.

REP. HENNESSY (127TH): Representative Bolinsky, I can assure you that as Chair of this Committee for a number of years, the funding issues and the issues surrounding the horse guard have been extremely painful. And it's -- it's been difficult given their historic basis, and the service that they do.

We -- a couple years ago gave the horse guard the ability to fundraise. So how -- how has that been going on since then as far as raising the money? And also, the number of horses; I imagine they're dramatically decreased in number in order to sustain? So, I have those two questions.

REP. BOLINSKY (106TH): Very good questions, Representative.

The -- the herd at Newtown I believe is -- has been pared to 11 horses. We actually could use a few more horses to support the number of volunteer troops we have. The provisions of this particular agreement will probably allow the horse guard to be able to grown the herd.

As far as the fundraising going, what we did was, we did not allow for fundraising at this type of level;

rather, what we did is allow for the provision of a couple of 501(c)(3) charities, the friends of the horse guards, and they do their fundraising and they contribute to the operation and to the feeding of the horses and, you know, on the order of probably \$18,000 or so a year.

Now, that doesn't sound like a lot of money when we're talking about budgets here in -- in Hartford. But when you stop and think about these horse guard units, they actually are capable of operating themselves entirely, on 30 to \$45,000 a year, which is how we have traditionally funded them.

So, by taking this excess space, which sits empty, clean and beautiful, and reaching out and -- and finding qualified occupants, we can add this source of revenue to the 501(c)(3) and create a unit that really ought to turn a profit.

REP. HENNESSY (127TH): Excellent, thank you very much.

REP. BOLINSKY (106TH): My pleasure.

REP. HENNESSY (127TH): Any questions or comments? Seeing none, thank you very much Representative Bolinsky.

REP. BOLINSKY (106TH): Thank you very much, Committee. And if anybody has any questions after the fact, please feel free to contact me. This is an easy one.

REP. HENNESSY (127TH): All right, thank you. Thank you. Ethan Ruby.



STATE OF CONNECTICUT

MILITARY DEPARTMENT
 WILLIAM A. O'NEILL ARMORY
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February 23, 2016

Honorable Mae Flexer, State Senator
 Honorable John "Jack" F. Hennessy, State Representative
 Co-Chairs, Veterans' Affairs Committee
 Hartford, CT 06106

IN RE Proposed Bills:

SB 21, "AAC Military Department's Nondiscrimination Laws"

SB 204, "AAE Simultaneous Membership in Multiple Units of State Military"

SB 207, "AAC Award of the Medal of Achievement"

HB 5358, "AAC Leasing of Military Facilities"

HB 5359, "AAC State Military Construction Projects"

HB 5360, "AAC the Military Department"

I write to express the Military Department's support for the above-noted bills.

S.B. 21 revises Section 27-59 of the general statutes to ensure that Connecticut citizens may serve in the armed forces of the state without discrimination based on religion, national origin, color, race, sex, gender identity or expression or sexual orientation. This legislation aligns the state law concerning nondiscrimination in Connecticut's armed forces with federal law and policies of the United States armed forces. This legislation makes important revisions to the state statute at a time when we are seeing major shifts in policy at the national level. The privilege to serve in the armed forces is an important aspect of citizenship, which should not be denied based on archaic discriminatory rationales. Enactment of this bill will be an important step in the fight against discrimination.

SB 204 repeals Section 27-56 of the general statutes to eliminate a provision of state law that conflicts with federal law (32 USC 109 (e)). The federal law prohibits simultaneous membership in a unit of the United States Reserve, which includes the National Guard, and in a unit of a state defense force, such as the Governor's Guards. The statute also creates a conflict with state strength accountability, where a member who is in two units may be counted twice in the calculation of the strength of Connecticut's armed forces. Additionally, it potentially conflicts with other provisions of law, including section 27-20, which charges the Adjutant General with the duty of recruiting and managing the state's armed forces. I ask for the repeal of section.

SB 207 revises Section 27-73g of the general statutes to expand the eligibility for the award of the Connecticut medal of achievement. This revision will permit members of the armed forces of the United States and members of all state armed forces, including members of the Governor's Guards, to receive the medal for outstanding achievement or meritorious service during the performance of state military service. This expansion permits Connecticut the opportunity to recognize the service of not only the members of our own armed forces but the members of all armed forces for state military service.

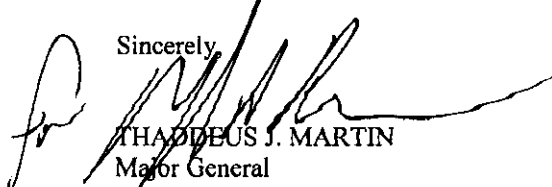
HB 5358 revises section 27-39 of the general statutes to authorize the Adjutant General to lease state-owned Horse Guard facilities located in Avon and Newtown to any qualified lessee. The funds generated from the lease of the Horse Guard facilities will be fenced, directly deposited into the Governor's Guards horse account. This account, as provided for under section 27-19e of the general statutes, is established for the statutory purpose of offsetting the costs of maintaining Governor's Guards horses. This bill will provide the Military Department the ability to generate funds for the continued existence of the Governor's Horse Guards, potentially as a self-funding state militia unit. The bill also revises provisions of the statute to eliminate obsolete provisions

HB 5359 revises sections 4b-51, 4b-52 and 4b-91 of the general statutes to increase the statutory limitation on Connecticut Military Department construction contracting from \$500,000 to \$2,000,000. Increasing the statutory amount will provide the Military Department more flexibility to execute military construction using our state contracting office. The Military Department has a proven record of executing construction projects using both state and federal resources. Please refer to our biennial "Armory Construction Purchase Program Report," enclosed. The Military Department executes military construction projects under federal auspices, through our United States Purchasing and Fiscal Office, and under state auspices, using the Military Department's contracting office (for state projects under \$500k) and the Department of Construction Services (for state projects exceeding \$500k). If enacted, the Military Department will have greater flexibility to execute in-house military construction projects and an increased ability to leverage federal construction dollars for the benefit of Connecticut.

HB 5360 revises section 27-19 of the general statutes to ensure that the future military leader of the state armed forces possesses the necessary state military experience to successfully serve as the Adjutant General. The Adjutant General serves as the Governor's primary advisor on matters concerning Connecticut armed forces. To successfully advise the Governor and to serve the interests of the State of Connecticut, the Adjutant General must have significant service within the National Guard. Service in the National Guard is unlike any other branch or component of the armed forces, as it requires members to serve in a dual-status, in both the state and federal armed forces. It is the only component for which the state governor is the commander in chief. This bill will ensure that the Adjutant General, when appointed, has the necessary experience to successfully serve and advise the Governor.

On behalf of Connecticut's nearly 5,000 citizen soldiers and airmen, the members of our states armed forces, their families and our veterans, I ask the Veterans' Affairs Committee to take favorable action on these bills and to work for the passage of laws that provide meaningful opportunities and protections for our service members and veterans. Should you desire to discuss these matters or others concerning military/veteran legislation and legislation for the efficient operation of the Connecticut Military Department, please contact my legislative liaison, Lieutenant Colonel Timothy J. Tomcho, Judge Advocate, at (860) 548-3203 or via email at timothy.j.tomcho.mil@mail.mil.

Sincerely,



THADDEUS J. MARTIN
Major General
The Adjutant General



State of Connecticut

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*Testimony by Representative Laura Hoydick
Submitted to the Veterans' Affairs Committee*

House Bill 5358, AN ACT CONCERNING THE LEASING OF MILITARY FACILITIES
February 23, 2016

Co-Chairs Hennessy and Flexer, Vice-Chairs Gomes and Nicastro, Ranking Members Yaccarino and Martin, thank you for the opportunity to publically support House Bill 5358, An Act Concerning the Leasing of Military Facilities.

The Governor's First and Second Horse Guard militia units have undergone significant financial difficulty during recent years due to the decreasing amount of state aid and the inability to develop an income stream to allow the units to be self-sustaining. House Bill 5358 put forward by Adjutant General Martin of the National Guard is a positive step that would allow these long-standing units to financially influence their own destiny. The First Horse Guard is the oldest, organized in 1778 and chartered in 1788, continually active mounted Calvary unit in the United States and are an important part of Connecticut's military history. I applaud General Martin and the Veterans' Affairs Committee for forging a path of financial security and sustainability for these militia units.

I encourage passage of this proposed bill and thank you for your consideration.



State of Connecticut

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Committee on Veterans' Affairs
February 23, 2016

TESTIMONY IN SUPPORT OF HOUSE BILL 5358

Dear Co-Chairs Senator Flexer, Representative Hennessy; Vice Chairs Senator Gomes, Representative Nicastro; Ranking Members Senator Martin, Representative Yaccarino; and esteemed members of the Committee,

Thank you for allowing me to submit testimony in support of House Bill 5358, An Act Concerning The Leasing Of Military Facilities. The bill seeks to require a certificate of insurance or self-insurance prior to the approval of any lease or use of any military facility, permit the Adjutant General to allow the lease or use of any military facility at cost of operation, and provide that proceeds generated from leases of certain military facilities be deposited into the Governor's Guards horse account.

The Second Company Governor's Horse Guard is one of the most treasured historic organizations in the State of Connecticut and along with their sister Horse Guard in the Hartford region, serve the entire state in many ceremonial roles. Further, the Horse Guard hosts many community events and fundraisers on their grounds to support local charities or to bring in visitors to the State of Connecticut.

In recent years, funding has been a major issue for these organizations due to a struggling state economy and less resources to go around at the state level. As a result, alternate forms of sustaining their organizations have been necessary. One of the ideas has been to make available for private lease the military facilities located at the Horse Guard stables. Since many of these stables are left empty, it would make good sense to lease them out to private citizens at a cost which would offset the revenue needed by the Horse Guard.



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State of Connecticut

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*Testimony by Representative Mitch Bolinsky
Before the Veterans' Committee on House Bill 5358
AN ACT CONCERNING THE LEASING OF MILITARY FACILITIES
February 23, 2016*

My thanks to the Honorable Co-Chairs, Senator Flexer and Representative Hennessy; Vice Chairs Senator Gomes and Representative Nicastro; Ranking Members Senator Martin and Representative Yaccarino; as well as the entire Veterans' Committee for your consideration today of HB 5358.

I stand in strong support of this bill which allows the leasing of excess facilities space at the Governor's Horse Guards in the towns of Avon and Newtown, the unit I represent, for the purposes of fundraising to support said Horse Guards units. These facilities are both exceptional and, presently, both contain high quality surplus stall, paddock, arena and field space due to reductions in overall herd sizes over time.

Through the past six years of state budgets, the historic, majestic First & Second Company Governor's Horse Guards have faced uncertain fiscal times, needing to be saved from defunding in the very last minutes of 2015's, 2013's and 2011's biennial state budget processes.

HB 5358 represents a unique opportunity and is truly revolutionary because, as shown by financial analysis, the passing of this bill will permit these special facilities to become financially self-sustaining and vibrant assets that will actually contribute new revenue back to the State of Connecticut. At the same time, the bill is written to assure these proud facilities will remain primarily dedicated to their intended military purpose and operated with the dignity they have always demonstrated.

I tip my hat to the forward thinking of the Adjutant General, his command staff and the Horse Guard Commandants for advancing this exciting business model. As State Representative for Newtown's Second Company Horse Guard, I'd also like to acknowledge the efforts of recently retired Major Gordon Johnson for his outside-the-box contributions to this creative notion.

Finally, in Section 1, Paragraph (e), the true intention of this bill is clearly defined, stating "Proceeds from the lease of such military facilities in Avon and Newtown shall be paid to the Adjutant General, who shall promptly transmit such proceeds to the State Treasurer for deposit in the Governor's Guards horse account established under section 27-19e." This sustainable statement of purpose will allow the Horse Guard Units to become immune to future budget axes and proudly march into perpetuity.

In conclusion, "Good bill, ought to pass!" comes to mind.

Thank you for your time and consideration. If you have questions, please contact my office, anytime.

Respectfully,

Representative Mitch Bolinsky