

Legislative History for Connecticut Act

PA 17-83

SB914

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Transcripts from the Joint Standing Committee Public
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Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2017**

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HOUSE OF REPRESENTATIVES

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Mr. Speaker, if no objection, I ask that this matter be moved to the Consent Calendar.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

The motion before the Chamber is placement of this item on consent. Do I see or hear objection? Seeing none. So ordered. (Gavel)

Would the Clerk please call Calendar 600?

CLERK:

On page 33, Calendar 600, substitute Senate Bill No. 914 - AN ACT CONCERNING THE DEFINITION OF A VETERAN FOR A CERTAIN HONOR AND CERTAIN BENEFIT; favorable report of the Joint Standing Committee on Veterans Affairs.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Representative Hennessy, also of the Park City, you have the floor, sir.

REP. HENNESSY (127TH):

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

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

The question before the Chamber is acceptance and passage in concurrence. Please proceed.

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. Mr. Speaker, this bill recognizes the new federal legislation with the Miller-Blumenthal Act that recognizes reservists that are eligible for DoD retirement. The bill grants the recognition to these veterans by allowing them to use the flag indicator or drivers license. Further, it provides them to access to burial and state cemeteries, a benefit that National Guard members already have. Lastly, this expands eligibility to all service members that have served during a time of war to the Connecticut Wartime Service Medal. Mr. Speaker, I ask that the Chamber support the bill. Thank you, Mr. Speaker.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Thank you very much, Representative Hennessy. Further? Representative Ferraro of the 117th, you have the floor, sir.

REP. FERRARO (117TH):

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Thank you, Mr. Speaker. And through you, I arise in support of this bill. Like the good Chairman of the Veterans Committee already indicated, this bill conforms with the federal law and it does extend the eligibility to a new class of people, members of the National Guard or Reserve unit of military who were not called to active duty during the time of war. The three benefits that were listed by the good Chairman, they receive the - - eligible to receive the ribbon and medal. There's no fiscal note associated with this, for the state has approximately 100,000 wartime service ribbons and medals available for the new population. This bill was passed out of the Veterans Committee 14-0. And I would ask that this be put on the Consent Calendar as well. Thank you.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Thank you, Representative Ferraro. Further on Senate Bill 914? Further on Senate Bill 914? Further on Senate Bill 914? Representative Hennessy.

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REP. HENNESSY (127TH):

Mr. Speaker, I move that this item be placed on the Consent Calendar.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

We have a motion to place on consent. Is there objection to the motion? Is there objection to placing this item on consent? If not, so ordered.

Thank you. (Gavel)

Would the Clerk please call Calendar 616?

CLERK:

On page 34, House Calendar 616, substitute Senate Bill No. 4 - AN ACT CONCERNING MUNICIPAL ELECTRIC UTILITY COOPERATIVES; favorable report of the Joint Standing Committee on Energy and Technology.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Representative Slap of the 4th District, you have the floor, sir.

REP. SLAP (19TH):

Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's favorable report and

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just so we have that correct.

REP. SAMPSON (80TH):

The bill no. is 7273.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

(Bill) 7273, Calendar 324.

REP. SAMPSON (80TH):

Yes. Thank you, Mr. Speaker.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Thank you very much. That shall be removed from the Consent Calendar. So ordered. (Gavel) And we'll stand at ease for a minute or two.

Would the House please come back to order?

Would the House please come back to order? We are about to -- I'm about to request that the Clerk -- that he read the bills that are contained upon today's Consent Calendar. Mr. Clerk.

CLERK:

List of bills from Consent Calendar: Senate Bill 884 with Senate "A"; Senate Bill 826 with Senate "A"; House Bill 7278 with House "A"; Senate Bill 353 with Senate "A"; Senate Bill 968; Senate

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Bill 26; Senate Bill 930 with Senate "A"; Senate
Bill 911 with Senate "A"; Senate Bill 1020; Senate
Bill 983; Senate Bill 914; Senate Bill No. 4 with
Senate "A"; Senate Bill 941; Senate Bill 917 with
Senate "A"; Senate Bill 836 with Senate "A"; Senate
Bill 890; Senate Bill 893; Senate Bill 895 with
Senate "A"; Senate Bill 901 with Senate "A" and "B";
Senate Bill 904 with Senate "A".

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Thank you, Mr. Clerk. Representative Albis.

REP. ALBIS (99TH):

Thank you, Mr. Speaker. Mr. Speaker, I move
passage of the bills on today's Consent Calendar.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

The question before the Chamber is passage of
the Consent Calendar. Would you remark on the
motion on the floor? The motion before the Chamber
is passage of the Consent Calendar. The motion
before the Chamber is adoption and passage of the
Consent Calendar. Further on this motion? If not,
staff and guests please retire to the Well of the

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House. Members take your seats. The machine will be opened. (Ringing)

CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Have all members voted? If all the members have voted, please check the board to make sure your vote is properly cast. If all members have voted, the machine will be locked. Would the Clerk please take a tally? Would the Clerk please announce the tally?

CLERK:

Consent Calendar 1,

Total number Voting	150
Necessary for Passage	76
Those voting Yea	150
Those voting Nay	0
Those absent and not Voting	1

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ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

The Consent Calendar passes. (Gavel) Thank you
all.

Would the Clerk please call Calendar 324 again?

CLERK:

On page 13, House Calendar 324, substitute
House Bill No. 7273 - AN ACT CONCERNING LOCAL
EDUCATION AUTHORITIES; favorable report of the Joint
Standing Committee on Education.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

Representative Fleischmann, you have the floor.

REP. FLEISCHMANN (18TH):

Thank you, Mr. Speaker. I move acceptance of
the Joint Committee's favorable report and passage
of the bill.

ASSISTANT DEPUTY SPEAKER ALTOBELLO (82ND):

The question is acceptance and passage. Please
proceed.

REP. FLEISCHMANN (18TH):

Thank you, Mr. Speaker. I described this bill
before it went on the Consent Calendar. A good

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Those voting Nay	0
Absent and not voting	0

THE CHAIR:

Thank you. Senator -- I'm sorry. Senate Amendment "A" is adopted. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. If there's no objection, I would move this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On page 8, Calendar 96, Substitute for Senate Bill Number 914, AN ACT CONCERNING THE DEFINITION OF A VETERAN FOR A CERTAIN HONOR AND CERTAIN BENEFIT.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President.

THE CHAIR:

Good evening, Ma'am.

SENATOR FLEXER (29TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, Ma'am?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the bill before us just makes a minor change to our statutes to reflect changes that were made in January to Title 32 of US Code concerning the definition of a Veteran. It expands the definition to include retired members of the National Guard with 20 years of service or the reserves. I urge my colleagues to support this measure. Thank you, Madam President.

THE CHAIR:

Will you remark further on this bill? Will you remark further on this bill? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Madam President, I just have a few questions for the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

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Thank you. From what I remember from our discussions on the Committee, these -- if we include the National Guard into changing the definition to include the National Guard, they would be receiving ribbons and medals? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Can you tell me specifically the National Guard's Veterans -- what will they be -- can you explain a little bit about those ribbons to the circle here, please? Thank you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, they are ribbons and medals that are currently a part of our existing statutes that the commissioner of the Department of Veterans Affairs may bestow upon Veterans. The underlying bill doesn't make any

changes to the kinds of ribbons and medals that can be awarded.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So the ribbon -- so -- Through you, Madam Chair. So the ribbons that we discussed in the Committee -- we're talking about wartime ribbons and medals? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes. The underlying bill talks about ribbons and medals that are awarded to veterans who serve in a time of war.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, in order to qualify -- through you, Madam President. So in order to qualify for these medals, the National Guard individual would have to have served during that time of war? Through you.

THE CHAIR:

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Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, the individual would have to serve during a time of war, they would have to be a resident of the state at the time they were called to active duty, or they'd have to be currently domiciled in the State of Connecticut to receive these ribbons and medals.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Through you, Madam President. Is there a number or how many service members will be newly eligible for the war time service medal?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. There is no estimation of the number of people who would be eligible for these ribbons and medals going forward but again, this would apply to -- this would just be taking into account the new federal definition of a Veteran.

THE CHAIR:

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Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Going on to the -- another part of the bill here, we -- it talks about providing -- giving the National Guard or the new definition should we adopt this this evening, the ability to have access to the Veteran status for a license. Will these individuals newly eligible to have their Veteran status listed on their driver's license have to pay to update their license? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. When an individual who would newly be eligible for this designation on their license, would be able to get that designation on their license at the time of their regular renewal of their license and therefore, at that time, there would be no fee.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. You know, with what's going on with the Department of Motor Vehicle, I'm just curious, you know, with the long lines that

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people are still experiencing and the processing that takes place there, I'm -- I've got a question whether or not -- how it's going to affect the lines at the Motor Vehicle Department. Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I'm not sure I heard a question there. Could the good gentleman repeat his question?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Absolutely. How do you expect updates for those who are going to be applying for a new driver's license to have the flag added on -- how do you think it's going to affect the lines at the Motor Vehicle Department?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Well, I'm certainly not an expert on the functions of the Connecticut Department of Motor Vehicles, and with the

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Committee, did not hear testimony from the Department on this bill when we heard it in public hearings several months ago.

The Veterans who would newly be eligible for this designation on their driver's licenses would be going to the DMV for the most part, at the time of their regular renewal, so I wouldn't anticipate -- just based on my personal, layman's experience with the DMV -- I wouldn't anticipate that this would create additional wait time at the DMV, it would just be during the course of their regular renewal period.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. How many Veterans or National Guards Vets are we talking about that would be qualified for this? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Again, Madam President, there is not an estimation of the number of Veterans who would be newly eligible under this designation that was made by the change to federal code.

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Senator Martin.

SENATOR MARTIN (31ST):

So we have no idea of how many National Guard members we have that will qualify for this? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I do not have an estimation on the number of members of the National Guard who would qualify due to this change in the US Code Title 32.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So that leads me to the next part of the bill because through the bill, from what I understand, we're gonna be opening up the ability for the national guards to enter or to be buried in the State Cemetery. So if we don't have a number of how many are eligible, then are we running the risk of not having plots available in the cemetery? Through you, Madam Chair.

THE CHAIR:

Senator Martin -- I mean, sorry -- Senator Flexer.

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SENATOR FLEXER (29TH):

Thank you, Madam President. Through you, again we did not hear testimony from the Department of Veterans Affairs and as you know, the Department pays close attention to the work of the Veterans Affairs committee that there was concern that this change would lead to some sort of limitation in the State Veterans Ceremony and in fact -- Cemetery -- and in fact, the State Veterans Cemetery has recently been expanded. So I would anticipate that anybody would qualify and who's family would choose as their place -- as their final resting place, the State Veterans Cemetery, there would be space for these people who honorably served our country.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. So, is it -- my understanding that not only the National Guard vet would be allowed to be buried in the Cemetery but also the spouse or family member of the veteran? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. These veterans who served our country in the reserve or the National

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Guard for more than 20 years would be eligible for all benefits listed in this bill that are currently allowed to Veterans and their family members.

THE CHAIR:

Excuse me, ladies and gentleman of the chamber. There is debate going on. If we can keep our voices down, so that Senator Flexer and Senator Martin can hear each other and I can hear them. So please proceed, Senator Martin.

SENATOR MARTIN (31ST):

Could I ask the good Senator to repeat that? Thank you.

SENATOR FLEXER (29TH):

Yes.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

The answer is that -- well, [Laughing] I forgot what the question was, but I think my answer was that there will be space in the Veterans Cemetery and that the people who would qualify would be additionally under this measure -- would be people who've served in the reserves or the National Guard for more than 20 years and it would apply to their spouse or next of kin.

THE CHAIR:

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Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam President. So, let me just ask this sort of funny question, sort of -- or different question. Could the family members of currently deceased individuals who may qualify now to be buried in the Veterans Cemetery be exhumed and placed there, after the bill goes into effect?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I think that someone would have to apply to the State Veterans Cemetery to be able to do that. I support somebody could try to avail themselves of that, but I think that would be a decision that would be made by the Department of Veterans Affairs. I think it's probably an unusual request that a family would have chosen one final resting place and then perhaps choose a different one that they may now be eligible for because of this change in the US Federal Code.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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An unusual request that is, as well as the question,
but thank you so much for your answering my
question. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill?
Will you remark further on the bill? If not --
Senator Flexer.

SENATOR FLEXER (29TH):

If there's no objection --

THE CHAIR:

There is an objection. At this time, Mr. Clerk,
will you please call for a roll call vote? The
machine will be open.

CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

All members have voted, all members have voted. The
machine will be closed. Mr. Clerk, will you call
the tally, please?

CLERK:

Senate Bill Number 914.

Total number voting	36
Those voting Yea	36

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Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

CLERK:

On page 30, Calendar 360, Substitute for Senate Bill Number 1041, AN ACT CONCERNING GPS MONITORING OF CONVICTED PERSONS AWAITING SENTENCING FOR AGGRAVATED SEXUAL ASSAULT. There are amendments.

THE CHAIR:

Senator Doyle or Senator Kissel. Anybody? Please?
[Pause] Oh. Senator Kissel. Why do you stand, sir?

SENATOR KISSEL (7TH):

Good evening, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR KISSEL (7TH):

Yeah, we were huddling. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

**JOINT
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REP. SIEGRIST (36TH): Thank you, Mr. Chair. Thank you both for coming, and I also briefly would just like to thank Mr. Saadi. A few weeks ago -- a couple weeks ago, Representative Skulczyck, Ohler, and myself toured the Veterans' Home, and I want to thank you for taking the time out of your afternoon for showing us around. And so I want to thank you for that and everything that you do for -- both you do for veterans. So thank you.

PAUL BUCHA: Thank you. Thank you for what you do for all of us, too.

REP. SIEGRIST (36TH): Thank you, Mr. Chairman.

SENATOR MARTIN (31ST): Any other questions? Thank you. Oh, we have one additional question. I'm sorry. Senator Osten.

SENATOR OSTEN (19TH): I don't have any more questions for that particular bill right there. Is Mr. Saadi all ready to talk about any of the other bills that they have before us today?

SENATOR MARTIN (31ST): He's addressed three of them.

THOMAS SAADI: Senator Osten, I did speak to the three agency bills. If there are questions related to other legislation that may impact the agency, more than happy to attempt to address those questions or to provide written responses hereafter from the Commissioner if I'm unable to answer those questions.

SENATOR OSTEN (19TH): So I'm wondering about the -- concerning the definition of a veteran in certain honor and certain benefit. And let me just say thank you for your service, also. I think that any

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time we have another veteran coming up in front of us, it's the best way to get veterans' benefits out.

So I didn't know if, in 914, are you -- is that an agency bill? AN ACT CONCERNING --

THOMAS SAADI: No, Senator. Actually 914 is not a DVA agency bill. If I understand it, without looking at the bill right now, that relates specifically to the Connecticut Wartime Service Medal, and if I'm correct, that's not a general -- a legislation of general applicability with regard to the definition of veteran, but would somewhat broaden the scope of those who would be eligible. The agency does not have an objection to that proposal in that bill. However, Senator, as you know, we've spoken about the issue of the definition of veteran generally. We continue to work on that with your office and other members of the legislature relating to that issue.

SENATOR OSTEN (19TH): And if you could just explain to people, while I actually hardly ever -- will all of your indulgence, Mr. Chair -- the definition of a veteran, if we get through the definition of a veteran, how would that change? What would be the scope of that?

THOMAS SAADI: As succinctly as possible, the baseline definition of veteran is in 27-103(a)(2). That is the common one that is utilized, and many of the statutes refer to it. Basically, it's an individual who is discharged honorably or under honorable conditions from active service in the Armed Forces, National Guard, or the Reserve Components of the Armed Forces.

That being said, there is a slightly different definition or more restrictive definition at the

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federal level. We have found that there has been some conflation between the federal definition and the state definition, adding additional parameters or requirements on to what agencies consider to be a veteran before allowing them to access certain services, and most of those services are not ones that are provided free of charge, but, for example, items that veterans would have to pay for: the driver's license flag or the license plate, etc.

The bill that -- the legislation we've been discussing with your office would alter that and remove the issue of active service, which is somewhat confusing because of the term active service versus active duty. And what we have found is that some agencies may be interpreting active duty as active service, other ones active service as being in the Guard or Reserve, also not counting maybe that time for initial duty training or AIT as being service that qualifies for veteran status. So the legislation we're working on with you would address that and clarify it.

We believe, in discussing this with the Governor's office, it would have minimal fiscal impact as the overwhelming majority of those benefits are items that veterans currently pay for, would have to pay for. It does not -- be very clear -- it does not change wartime service or disability, which are many of the more -- the greater restrictions that are in the tax code, as well as other benefits. So it wouldn't open up, for example, the tuition waiver, wouldn't open up tax abatements at the municipal level that are based on disability or wartime service. It is strictly the organic definition of veteran outside of wartime service and disabled veteran.

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SENATOR OSTEN (19TH): And I really appreciate you working with my office on that because I think that that matters, and I think that we -- with the amount of time that we use both Reserve forces and National Guard, to say that they're not a veteran is something that always says, sort of, concerns me. You know, I have -- many of my neighbors have been in the National Guard for some 30 years and never get any ability to be recognized as a veteran. And, you know, I got my active duty time in, so in my time even, so I never went over to Vietnam; still counts as Vietnam Era time. So, you know, I'm lucky and I would like to see us in these simple recognitions of license plates and on our licenses for motor vehicle, I think that that's something that we could do for veterans and people that I consider veterans that are in the National Guard or in the Reserves and actually have more of an opportunity to be called up today than in any previous time. And, you know, I think that that's something.

And I just wanted to take the opportunity to thank you very much, Mr. Chair, for allowing me to bend the rules a bit and talk about a bill that might not necessarily be here today. Thank you.

SENATOR MARTIN (31ST): You're welcome, Senator Osten. Thank you, gentlemen.

THOMAS SAADI: Thank you.

SENATOR MARTIN (31ST): Representative Carol Hall followed by Senator John Kissel. Good afternoon.

REP. HALL (59TH): Good afternoon. Good afternoon, HB 7181 Mr. Chair and honorable members of the Veterans' Affairs Committee. I've submitted written testimony on the bill I'm here to support today, which is Bill