

## Legislative History for Connecticut Act

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**Act Number:** PA 04-169  
**Bill Number:** 239  
**Senate Pages:** 2413-2416, 2418-2420 7  
**House Pages:** 4773-4775 3  
**Committee:** Public Safety: 117-121, (172-173), 174, 176-177, (177-178), 210-213, 251, 252, (293-294) 19

**Page Total:**

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
2004

VOL. 47  
PART 8  
2166-2446

lmr

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002413

Senate

April 29, 2004

from the -- final go item from the original list marked go is Calendar page 25, Calendar 117, S.B. 239. I would like to have that one called next.

In addition Madam President, there are at this point four other bills that earlier had been marked passed temporarily that I would now like to mark as go. The first of those is Calendar page 12, Calendar 488, H.B. 5356. The second is Calendar page 12, Calendar 492, H.B. 5021. The third is Calendar page 18, Calendar 231, S.B. 343. And the fourth is Calendar page 20, Calendar 333, S.B. 465.

Thank you Madam President.

THE CHAIR:

Thank you sir. Will the Clerk please return to the call?

THE CLERK:

Calendar page 25, Calendar 117, File 80, substitute for S.B. 239, AN ACT CONCERNING THE DEPARTMENT OF VETERANS AFFAIRS. Favorable report of the Committees on Public Safety and Appropriations.

THE CHAIR:

Senator Newton, you have the floor.

SEN. NEWTON:

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

the bill.

THE CHAIR:

Motion is acceptance and passage. Will you remark sir?

SEN. NEWTON:

Thank you Madam President. This bill comes from the Commissioner of the Veterans Affairs who appeared before our Committee. And what the bill attempts to do, by passing this bill, the bill increases the number of veterans eligible for burial in our State veterans cemeteries and admission to veterans home and hospital. Which the bill needs to be renamed to the veterans home. And the reason it needs to be renamed is because the Commissioner would be able to receive more Federal dollars by the change of this name so that more veterans could take advantage of the burials here in the State of Connecticut.

The bill does some technical changes. Some years ago we did away with the Deputy Commissioner's position at the Veteran's Home. This would allow her to appoint a head of the Advocacy Unit there at the Veteran's Home. In order to be buried in one of our veterans cemeteries, you have to be -- you would have to have by law an honorable discharge veteran who had served during war time as defined by our Connecticut General Statute 27-

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Senate

April 29, 2004

122(b), are eligible for burial in the State's veterans cemetery.

The list of war does not include any fought after Lebanon peacekeeping mission from 1982 to 1984. Nor does the law include any minimum service required. It appears that in practice, the Veterans Affairs Department uses this war list in the Connecticut General Statute. And as you already know, we have men and women who are in our program here in the State of Connecticut that don't fight in certain wars but they're called up to service as we've witnessed here in the State of Connecticut.

I also want to bring the circle and I want to thank Senator Ciotto. I had my first tour of the Veterans Hospital and facility in his district. And I'm glad to see that the State of Connecticut is finally fixing the facility up.

So I move adoption Madam President.

THE CHAIR:

Thank you Senator Newton. Will you remark on the bill before us? Yes. Senator Ciotto.

SEN. CIOTTO:

Thank you very much Madam President. I rise to associate myself to the remarks of Senator Newton. AS you know, Madam President, the Veterans Home and

Hospital is currently located in Rocky Hill. And Senator Newton and I had the opportunity to be there last Friday along with the Governor. And the Governor has promised an additional \$15 million in bonding and funding which will quality the Veterans Hospital for an additional 30 million and it will put them on the way to a new domicile, a brand new facility.

The buildings have been there since 1938 and it's time that something was done. Everybody realizes the debt we owe our veterans and this is a small way of us -- what we can do to help repay and thank them for giving their selves in defense of this country.

So I associate myself again with Senator Newton's remarks and I hope the bill -- and urge that the bill would pass.

Thank you Madam President.

THE CHAIR:

Thank you Senator Ciotto. Will you remark further on the bill before us?

Senator Newton.

SEN. NEWTON:

If there's no objections, I move that this be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

Calendar 490, substitute for H.B. 5611.

Calendar 491, substitute for H.B. 5657.

Calendar page 18. Calendar 493, substitute for  
H.B. 5358.

Calendar page 14.

Calendar 506, substitute for H.B. 5433.

Calendar page 15.

Calendar 90, S.B. 371.

Calendar 119, substitute for S.B. 374.

Calendar 123, S.B. 439.

Calendar page 16.

Calendar 156, substitute for S.B. 445.

Calendar 162, substitute for S.B. 399.

Calendar page 17.

Calendar 211, substitute for S.B. 576.

Calendar page 18.

Calendar 253, S.B. 571.

Calendar page 20.

Calendar 277, substitute for S.B. 589.

Calendar page 22.

Calendar 128, S.B. 486.

And Calendar page 25.

Calendar 117, substitute for S.B. 239.

Madam President, that completes those items placed  
on the first Consent Calendar.

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Senate

April 29, 2004

THE CHAIR:

The machine will be opened.

THE CLERK:

The Senate is voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

The Senate is voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Have all the members recorded their vote? Please check the machine to see that it is recorded.

THE CLERK:

The Senate is voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

The Senate is voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Please check the roll call machine to see that your vote is recorded. The machine will be locked.

THE CLERK:

The motion is on adoption of Consent Calendar 1:

Total Number Voting

33

Senate

April 29, 2004

Those Voting Yea	33
Those Voting Nay	0
Those Absent and Not Voting	3

THE CHAIR:

The Consent Calendar is adopted.

(SENATOR SULLIVAN IN THE CHAIR)

THE CHAIR:

Mr. Majority Leader, Senator Looney.

SEN. LOONEY:

Thank you Mr. President. Mr. President, I would move for suspension for immediate transmittal to the House of Representatives of any of the items acted upon which require additional action in the Chamber.

THE CHAIR:

Hearing no objection, so ordered.

SEN. LOONEY:

Thank you Mr. President. Also, I would move for suspension for transmittal to the Committees of any items referred from the floor of the Senate for Committee action.

THE CHAIR:

No objection being heard, it is so ordered.

SEN. LOONEY:

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
2004

VOL. 47  
PART 15  
4608-4973

CLERK:

On page 15, Calendar 528, Substitute for S.B. 239,  
AN ACT CONCERNING THE DEPARTMENT OF VETERANS' AFFAIRS.  
Favorable Report of the Committee on Appropriations.

DEPUTY SPEAKER CURREY:

Representative Dargan of the 115<sup>th</sup>.

REP. DARGAN: (115<sup>TH</sup>)

Thank you, Madam Speaker. I move acceptance of the  
Joint Committee's Favorable Report and passage of the  
bill, in concurrence with the Senate.

DEPUTY SPEAKER CURREY:

The question before us is on acceptance and  
passage, in concurrence with the Senate. Please proceed,  
sir.

REP. DARGAN: (115<sup>TH</sup>)

Thank you, Madam Speaker. This bill will increase  
the number of veterans eligible for burial in our State  
Veteran Cemetery and it also will change the name of the  
Veteran Home and Hospital to Veterans Home throughout to  
revise various statutes relative to the Department of  
Veterans' Affairs.

DEPUTY SPEAKER CURREY:

Would you care to comment further on the bill  
before us?

Representative Stone of the 134<sup>th</sup>.

House of Representatives

Tuesday, May 4, 2004

REP. STONE: (134<sup>TH</sup>)

Good evening, Madam Speaker and thank you. I rise in support of the bill. It's one that provides great new benefits for our veterans and ones that have been long overdue. It passed all the committees that it went before in an unanimous vote and passed through the Senate on consent.

So I urge its passage. Thank you.

DEPUTY SPEAKER CURREY:

The question before us is on acceptance and passage. Would you care to comment further on the bill before us? Would you care to comment further on the bill before us?

If not, staff and guests to the Well of the House, the machine will be opened.

CLERK:

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

DEPUTY SPEAKER CURREY:

Have all members voted? Have all members voted? Please check the board and be sure your vote is properly cast. If all members have voted, the machine will be locked. The Clerk will take a tally.

The Clerk will announce the tally.

CLERK:

S.B. 239, in concurrence with the Senate

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

DEPUTY SPEAKER CURREY:

The bill passes, in concurrence with the Senate.

Will the Clerk please call Calendar 280.

CLERK:

On page 22, Calendar 280, Substitute for H.B. 5420,  
AN ACT CONCERNING ENERGY SECURITY. Favorable Report of  
the Committee on Appropriations.

DEPUTY SPEAKER CURREY:

Representative Backer of the 121<sup>st</sup>.

REP. BACKER: (121<sup>ST</sup>)

Thank you, Madam Speaker. I move the Joint  
Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER CURREY:

The question before us is on acceptance and  
passage. Please proceed, sir.

REP. BACKER: (121<sup>ST</sup>)

Thank you, Madam Speaker. The Clerk has LCO 5130.  
Would he please call and may I be allowed to summarize.

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STANDING  
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service and that we want to help them in any way. Emotionally, family services can take care of it. Economically, the Legislature can do it with the bonus, with some of the college benefits and with the, aide bill that will take care of those people who are in financial distress.

And I urge the passage of all of these bills. I don't know how many minutes I've got left, but I don't need any more. Thank you for allowing me to speak. I love the Lotto. I'm going out and buying a Lottery ticket right now.

SEN. NEWTON: Thank you. Are there any questions? Thank you for your testimony. Next is Linda Schwartz, Commissioner of Veterans Affairs.

COMM. LINDA SCHWARTZ: Good morning. Good morning, Senator Newton and Chairman Dargan and members of the Committee. I'm here to speak about S.B. 239 which would change the title of the facilities to the Connecticut Veterans Home at Rocky Hill. The bill actually discusses dropping the word hospital from the present title and I wanted to just be saying that I felt it was a matter of practicalities and fiscal responsibility because first of all, Rocky Hill is not a hospital.

We do what we do very well. We have everything from Alzheimer's to respite care and hospice. We stopped doing surgery during the cutbacks for fiscal solvency of last year. Our staff of physicians was cut from seven to two, which is quite adequate for the work that we do.

We have also consulted with the Office of Access to Health Care and the Department of Public Health to help us define our mission and we were all in agreement. Our facility is not a hospital and in actuality this should be a savings to the citizens of the state because some of the trappings that we have had to maintain to keep this hospital, semblance of a hospital has been quite costly in the past.

The second part of this bill which deals with our Department is the Office of Advocacy and

Assistance. It is the codification of a change in the Department that was, I believe, in keeping with the sentiments of the General Assembly that the authorization of appointments of Deputy Commissioner cease. The Connecticut General Statutes 27-1021 directs that the Deputy Commissioner of the Department administer the Veterans Advocacy and Assistance Program and we want to actually delete any reference to that Deputy Commissioner since we don't have one, and to insert supervisor in this place.

This is a very specialized unit of veterans' services which has accredited services officers by the Department of Veterans Affairs to assist our veterans in the state with their disability, burial, access to medical care and educational benefits and I would like to just say that I'm very proud of the work they do because we have a case file of over 15,000 veterans and last year alone, we brought in \$28 million new dollars in benefits and compensation to Connecticut veterans.

Last, I would like to just say in closing, point out to the Committee that there are instances in the statutes that govern the Department of Veterans Affairs, the Connecticut National Guard and the Soldiers, Sailors and Marines Fund.

What I want to say is, we support the Connecticut National Guard's language to broaden the context of the citizen soldier. But I want to just point out to you that in doing so, it makes it very hard for this Department to say no to people who have served two, four, six, eight, ten years in times when we did not have a declared war and that is something to consider.

Last year, and I just want to be sure that you understand. Two-thirds of our budget was returned to the general fund, over \$19 million, and of that, not one of the third party reimbursements that we were able to garner required war time veteran status. I'm happy to answer any questions that you might have.

SEN. NEWTON: Thank you, Commissioner. Are there any

questions to the Commissioner? Representative Panaroni.

REP. PANARONI: Good morning.

COMM. LINDA SCHWARTZ: Good morning.

REP. PANARONI: I'm just reading through the bill and I see a spot where there's supposed to be a transfer of land.

COMM. LINDA SCHWARTZ: That was several years ago. That was a transfer for the creation of a cemetery which now exists in Middletown.

REP. PANARONI: We have to take the hospital part of the that other --

COMM. LINDA SCHWARTZ: Right. Most of the changes before you are just grammatical to delete the reference to hospital. It does really not change anything.

REP. PANARONI: Okay, thank you.

SEN. NEWTON: Are there any other questions to the Commissioner? Commissioner, I have one question. I know we've talked about the Sailors Marines Fund and what it is your Department tries to do to better serve the men and women who have fought in wars.

Could you maybe explain just a little bit of that relationship between the Sailors Marines Fund and what it is you do to help the men and women and why there is no partnership, or closer working relationship. I think that's important for this Committee to hear.

COMM. LINDA SCHWARTZ: I would be very glad to answer that. The Department of Veterans' Affairs was only created in 1989. The Soldiers Sailors and Marines Fund dates back to 1919.

When the Legislature created the Department, they assigned one task, The Office of Advocacy and Assistance, they required, statutes required that

we maintain an office in each of the congressional districts and it also says exactly what our number of service representatives and the qualifications of these service representatives.

As I mentioned to you in our conversation and would like to reiterate here, there is much overlap in what we do. However, what our outreach to veterans is principally to assist them to access benefits both at the state and at the national level.

We do not have the capacity to assist them with any financial difficulties unless that would be perhaps, to refer them to the Soldiers Sailors and Marine Fund. We have offices almost co-located throughout the congressional districts and in reading the reports, I see that much of what we do and what we are tasked with by the statutes, has been assigned to us but is also being done by Soldiers, Sailors and Marine Fund.

I believe that any networking that could be done would be a considerable savings to the state and the citizens and improvement of services. And I had made that offer before but it was declined.

SEN. NEWTON: Just a follow up. So, if you receive a soldier who's fought in any of our conflicts, and your testimony is that you don't have the resources, you would refer them to the Soldiers Marine Fund in those incidents where your agency could not help them?

COMM. LINDA SCHWARTZ: That is true. And the only time and place we could not help them, and I would just like to take this opportunity to point out that in the statutes it does say that the Commissioner of Veterans Affairs is assigned the task and the ability to assist people with financial difficulties on an emergency basis.

However, there is nothing in our budget that allows for that. That's what I meant by some of this overlap of the responsibilities that statutes charge to the three different agencies.

The only time that we couldn't really help them is

if they needed cash on the barrelhead today. Other than that, we are not limited in that assistance to only wartime veterans. We are authorized to assist any veteran and as many of you know, last year in the General Assembly you extended those benefits to include anyone who had served 90 days or more on active duty on or after 1990.

So we are not limited to if you served in the combat zone because VA benefits on the national level are not limited in that respect. Access to health care and educational benefits is not limited to wartime veterans.

SEN. NEWTON: Thank you. Are there any other questions to the Commissioner? Thank you, Commissioner.

COMM. LINDA SCHWARTZ: Thank you.

SEN. NEWTON: Next is Ted Schroll.

TED SCHROLL: Good morning, Senator Newton and Representative Dargan and members of the Public Safety Committee. My name is Ted Schroll. I'm the Legislative Rep for the Connecticut State Firefighters Association and I'm here to speak in opposition to S.B. 296 as proposed.

And I have submitted some written testimony so I'll try to paraphrase it and then hopefully try to answer any questions.

Our Association usually supports any and all legislation that is in the best interest of the fire service but in our opinion S.B. 296 does not. The legislation appears to duplicate an initiative that was passed in the 1995 General Assembly. If this bill is passed in its current form, it could decrease a workers' comp benefit for a volunteer firefighter who does not have regular employment.

A person such as a student, retiree, person laid off from regular employment or really anyone not regularly employed. If there's some problems out there with the legislation that's already in place, we feel that this is not the way to fix it. We'd like to be able to work together with anyone that

misdemeanors would you suggest that, or what time frame would you suggest that maybe we would look at giving certain felonies and those kinds of things. Do you have any idea of what they might be?

MICHAEL ASKEW: Well, I really don't know the statute of the crimes in the class felonies, class, pretty much. I do know certain class 3 felonies or class C felonies or third degree charges of lesser offenses would certainly be something to be looked at.

But certainly just taking a look at the individual themselves as has been shared with the fact of a simple possession of narcotics, of cocaine, is a felony charge in the State of Connecticut. And whether it was enough to be a \$10 bag of dope, you know, if that individual was in possession, most certainly probably it was because he was using the drug and not selling it. But you know, we're talking third degree larceny, fourth degree larceny, very simple misdemeanor or class D felony charges, I think would really be appropriate.

SEN. NEWTON: Thank you.

REP. DARGAN: Any other questions from Committee members? Thank you very much for your testimony.

MICHAEL ASKEW: Thank you.

REP. DARGAN: The next speaker is Charles Solomon.

CHARLES SOLOMON: Good afternoon, Committee members. My name is Charles Solomon and I work out of the 103<sup>rd</sup> Air Control Squadron in Orange, Connecticut. My title at the 103<sup>rd</sup> is Family Assistance Center Coordinator, along with my wife, Jane. We've been involved with the Family Assistance Program at the ACS for over 20 years.

SB 315  
SB 316  
SB 317  
HB 5362  
HB 5363

We recently had 125 people return from Afghanistan and prior to that, many of our ACS members were deployed within the U.S. to support Operation Noble Eagle.

I retired last year after serving 28 years, to

include four years of active duty. I am a Vietnam Veteran. As a veteran, I was able to utilize the benefits of the GI Bill for my education and completed both my BS and my Master's. I then taught for 37 years in the West Haven school system. I also received a bonus from the federal government and tax exemptions.

Our job description as Family Coordinators, is to assist the families of our Guardsmen and women with all information pertaining to benefits, entitlements, resources, that they may need. This includes, but is not limited to Tri-Care, Deers and Military pay.

When helping military and family members the deployed military people we have, we come across some heart wrenching stories. Many families are in need of fuel, electricity, rent money and food. They are also in need of assistance when dealing with life and death emergencies. That is when the family program must step in and be able to have resources available for helping them.

I am strongly in favor of all the bills being proposed because our veterans and their families have made a tremendous sacrifice and service to both our state and our country.

In closing, the folder I have in my hand is given out to various conferences with all our family support volunteers that attend, which simply states. I'm appreciated. By passing these bills, you will show that our military is truly appreciated. Any questions?

REP. DARGAN: Always good seeing you again.

CHARLES SOLOMON: Yes, Sir.

REP. DARGAN: Any questions from Committee members? Hearing none, thank you very much for taking time out of your busy schedule, Charles.

CHARLES SOLOMON: Thank you.

REP. DARGAN: Next on the list is Tom Carozza but he

already spoke. And next is it Mike Fox?

MICHAEL J. FOX: Mr. Chairman and members of the Committee. My name is Michael J. Fox. I'm a resident of Newington. I served in Vietnam during the (inaudible) offensives of 1968 and when I returned, served a number of years in the National Guard with the 242<sup>nd</sup> Engineer Battalion as a Company Officer and retired as a Captain.

I'm a member of the VFW as you can see, Newington Post 9836. I'm a Past Commander of the Vet Post, the Past District 3 Commander and sitting to my right is the current District 3 Commander, Alfred Rusty Meek. I am currently the PAC/Legislative Committee Chairman for the state.

That having been said, you already have, you have written testimony. However, with your indulgence, I'm going to diverge a little bit from the written testimony and will present, submit some amended testimony tomorrow, get back if you like.

This is regarding Raised S.B. 315, S.B. 316, S.B. 317, H.B. 5362, H.B. 5363 and S.B. 237. The above mentioned bills which are subject to this public hearing all concern veterans and the Solders, Sailors and Marines Relief Fund.

SB 239

Before I continue, though, I do want to say that the Veterans of Foreign Wars of the State of Connecticut in this case, and in all cases, support any legislation benefiting the Connecticut National Guard and veterans of the state. However, we do see a few problems with these and that is the purpose of my testimony.

The purpose of the Soldiers, Sailors and Marines Fund is to assist the neediest of us and our immediate families who have valiantly fought to maintain the cherished freedoms we enjoy here in the greatest country in the world.

In its present form since 1962, the Fund does not receive one cent of taxpayers' money. It is perpetuated solely by investments of the principal and this was gone over by Mr. Dierman already.

veterans returning from Iraqi Freedom and Enduring Freedom. The Veterans of Foreign Wars of the State of Connecticut support any legislation honoring veteran sacrifices during war and it's in full support for a bonus for Iraqi Freedom veterans.

S.B. 317 establishes a relief account for the National Guard. The problem that I have as Legislative Chairman is the fact that S.B. 317 in Section 27-128 authorizes the Governor to transfer funds from the Soldiers, Sailors and Marines Relief Fund. With the addition of all these bills re-establishing veteran status, I do not think the Governor should have that authorization. That should remain with the Soldiers, Sailors and Relief Fund.

S.B. 239 is supported by the Veterans of Foreign Wars also.

Now all that being said, I understand that a tentative agreement has been reached between the Adjutant General of the National Guard and the Director of the Soldiers, Sailors and Marines Fund and others. The Veterans of Foreign Wars would be interested in that agreement and I also would like to suggest that a representative of the State Commander of the VFW meet with the Committee in order to present the above bills that are before the Legislature in a manner that would satisfy the parties concerned to the fullest possible extent.

S.B. 237 free tuition for siblings is supported by the VFW and so is H.B. 5363.

Now, in conclusion, a partnership was mentioned by Commissioner Schwartz and also by Administrator of the Soldiers, Sailors and Marines Fund, Gerry Dierman.

I would hope wholeheartedly and (inaudible) VFW support a partnership between the Department of Veterans Affairs, the Adjutant General's Office and the Soldiers, Sailors and Marines Fund for I feel it is the only way that we can satisfy the needs, especially in today's economy of our very special National Guard, many of which are on duty now and

many of which are suffering as a result of it.

And I guess that's about all I have to say. If we may, half a minute from District Commander Meek.

ALFRED MEEK: Good afternoon, gentlemen. My name is Alfred Rusty Meek. I live in Manchester, Connecticut. I'm a retired vet after 22 years service.

(SB:39)

I agree with everything that's been said as far as the Soldiers and Sailors on these bills. But let the American Legion continue to handle the Soldiers, Sailors and Marine Corps Fund. Keep everybody else out of it including the Governor.

We should take a hard look and do some research, and have the Soldiers, Sailors and Marine Corps Fund Board work with the DVA and on a case by case basis. The Governor, nor the General should get involved. Leave the fund with the people who are professionals. They know what they're doing and they haven't been doing anything wrong.

If the state needs money this bad, let's get rid of the Treasurer and hire these guys running the Soldiers and Sailors Fund and I guarantee you in five years, we will have a surplus. Thank you.

REP. DARGON: I don't know about the (inaudible).

REP. PETERS: Thank you, Mr. Chairman. I have just one quick question and nothing against the American Legion or the Soldiers, Sailors and Marines Fund, but the one article I read, and I don't know if it's correct, it said that they paid out \$1.3 million and it cost \$1.2 for administration costs for last year.

First of all, I want to know if that's correct. And second of all, if it is, can we get some kind of breakdown in writing as to where this \$1.2 million for administrative costs went.

MICHAEL J. FOX: Well, as, I don't know, maybe you can, (inaudible) but as a member of the Veterans of Foreign Wars, I don't have access to information,

although I think you might have been absent at the time when Director Gerry Dierman of the Soldiers, Sailors and Marine Fund had given his report and I think he went through a good portion of that, I think. I don't know who was, which one of you were here at that time.

REP. PETERS: He did go through a good portion of that in his statement.

MICHAEL J. FOX: Rusty may have.

ALFRED MEEK: You know, I've been trying to get some answer to this and I attended a program we had at the Capitol dealing with the Soldiers, Sailors and Marines Fund and hoped that that would come up in the answer, but it wasn't, so I'm still kind of up in the air.

If it's not correct, I want to correct it. If it is correct, I'd like to know, you know, that seems to be a little expensive for administrative costs. If we're disbursing \$1.3 to our veterans and it's costing us \$1.2 million, you know, I don't know if that's an official way of doing that.

MICHAEL J. FOX: I don't think it's that, you know, from what he said earlier, it's not that high. It's down in the 18%.

ALFRED MEEK: Yeah, I think the net percent is a lot -

REP. PETERS: Well, if you can give this Committee any information to that, we'd really appreciate it, really and truly.

MICHAEL J. FOX: As soon as we stand up, we'll go outside and see if Mr. Dierman is still around and let him know you're interested in that.

REP. PETERS: Thank you.

MICHAEL J. FOX: Thank you. Thank you for allowing our testimony.

REP. DARGAN: Thank you. Any other questions? Thank you. Next on the list, Shirley Pripstein.

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CONNECTICUT DEPARTMENT OF VETERANS' AFFAIRS

**DR. LINDA S. SCHWARTZ, COMMISSIONER**

**PUBLIC SAFETY COMMITTEE TESTIMONY**

**FEBRUARY 26, 2004**

Good Morning. Senator Newton, Chairman Dargan, Members of the Committee. The Connecticut Department of Veterans' Affairs appreciates the opportunity to comment on the proposed changes to the Connecticut General Statutes found in SB 239, which would change the title of the facilities to the Connecticut Veterans' Home at Rocky Hill. Removing the word "Hospital" from the present title is a matter of practicalities and fiscal responsibility.

Since I became Commissioner of Veterans Affairs in May of 2003, I have found that the title "Hospital" is both cumbersome financially and logistically. In my first months at Rocky Hill, we had 4 episodes in which individuals came to the front gates of the complex in search of emergency medical treatment. They saw the word "Hospital" on our signage and assumed we were a facility capable of treating emergencies. Three of these individuals were having acute cardiac events and the fourth was having a stroke. Since we have no Emergency Room or acute care capabilities, vital time was lost because we could only call 911 to summon appropriate help for these individuals.

My point is that Rocky Hill is not a hospital. We do not have the capacity to support modern technology, to even provide oxygen for patients on volume respirators, telemetry capabilities or emergency medical care. We stopped doing surgery and simple procedures years ago. During the cutbacks for fiscal solvency, our staff of physicians was cut from 7 to 2, which is adequate for the work we do. In evaluating this change, we consulted with the Office of Access to Health Care and the Department of Public Health to help us define our mission, assess the levels of care we provide and discuss the direction we need to take Rocky Hill in order to better serve the veterans of this state. All were in agreement; our facility is not a hospital.

In essence, the care and programs we do provide at Rocky Hill are more rehabilitative in scope, with emphasis on skilled nursing for our frail and elderly veterans. We are multi-level provider with programs that range from a Rest Home to the specialized needs of Alzheimer's patients, Hospice and respite. We do not meet the definition of a Hospital, nor do we require all the trappings, committees, contract physicians or support services such as radiology, surgery and pathology that you would expect to find in a Hospital. For example, we recently terminated a contract for 2 hours/week with a pathologist at a cost to the state of \$65,000/year, which was done principally to satisfy the regulations which require a hospital to have a medical staff composed of more physicians than we have on staff. Additionally this contract called for the pathologist to perform autopsies (which have not been done at Rocky Hill for years) and analyze tissue samples (of which there are none because we no longer perform surgical procedures).

After assessing the costs of this care and realizing that the needs of our veterans do not require the acute care setting, we do not wish to duplicate the efforts of the US Department of Veterans Affairs at West Haven and Newington. Our goal is to create a seamless continuum of care with the maximum utilization of existing resources authorized by the Connecticut General Assembly and the United States Congress for the care of veterans. The duplication of services is a budgetary drain without any guarantee of improved care.

By removing the term "Hospital" from the present title, the Connecticut Department of Veterans' Affairs has the capability of saving funds which were spent on maintaining the semblance of an acute care facility and develop programs and services which more realistically address the needs of our veteran population. This is a better utilization of the resources the General Assembly has authorized for veterans and is a better reflection of the work we do at Rocky Hill. I would like to add that that our mission, "To Serve Those Who Have Served", is a responsibility that our staff accomplishes with great professionalism and dedication. They have been the saving grace for the veterans at Rocky Hill.

#### **Office of Advocacy and Assistance**

Another important change in SB 239 is the codification of a change in the Department that was, I believe, in keeping with the sentiments of the General Assembly that the authorizations of appointments of Deputy Commissioners cease. Section 27-1021 (b) of the CGS directs that a Deputy Commissioner of the Department of Veterans' Affairs "administer a veteran's advocacy and assistance unit for the aid and benefit of veterans, their spouses and eligible dependents and family members". Since the position of Deputy Commissioner no longer exists, SB 239 designates these responsibilities to a Supervisor. By statute, the Office of Advocacy and Assistance is required to maintain an office in each of the Congressional Districts. This is a specialized unit of Veteran Service Officers trained and accredited by the US Department of Veterans Affairs to assist veterans with their cases for disability, pension, educational benefits, access to medical care and burial benefits.

I am proud to say that the work of these Service Officers has resulted in an active case file of over 15,000 veterans and brought in over \$ 28 million new dollars in benefits and compensation to Connecticut Veterans in calendar year '03. In order to maintain this Office at the levels of proficiency required to assist veterans and their families, we need a Supervisor position to monitor the workload, maintain educational standards and provide experienced leadership to our Service Officers in the field.

In closing I would like to point out to the Committee that there are instances in the Statutes that govern the Department of Veterans' Affairs, Connecticut National Guard and the Soldiers', Sailors' and Marines' Fund, which overlap and at times cross reference each other. An example of this overlap is the proposed legislation to broaden the context of the definition of veteran. The Department supports this language and stands ready to assist our "Citizen Soldiers" called to Active Duty and their families who also shoulder the burden of this service. We also support their access to the Soldiers', Sailors' and Marines' Fund because the military mission has changed a great deal since this Fund was established. America's reliance on Guard and Reserve Components of the Armed Forces is unparalleled in these modern times. These men and women are the defense of our nation.

However, I would like to point out that this change would make it very difficult to turn away any veteran who has served on active duty. It is time to consider that a veteran is a veteran is a veteran! Turning away someone who served on active duty 2, 4, 6, 8, 10 years between 1975 and 1990 because this nation was not engaged in a declared war, is very discriminatory. Our statistics indicate that approximately 27,000 of Connecticut's 308,000 veterans fall into this category. In the past, we have had to turn these veterans away because of the statutory requirements for war time service. We have had to turn down families requests for burial in our state cemetery because that veteran did not serve in time of war. Last year approximately 60% of our budget was recovered through third party reimbursements from VA and Medicare, which did not require war time service. This money was returned to the General Fund. Therefore, the State of Connecticut would not incur substantial costs if we broaden the statutes to include veterans who served honorably.

The generosity of the people of Connecticut for veterans began 140 years ago. Connecticut was the first state in the nation to help veterans, their widows and orphans. The founding of the Fitch Home for Veterans in Darien, Connecticut was the first in the nation, a tradition that spread to neighboring states and the entire nation. Likewise the Soldiers', Sailors' and Marines' Fund is a further reflection of the concern the State of Connecticut has for those patriots who answer the call of duty to defend the nation. Times change. Warfare changes. Indeed, the war on terrorism makes military duty in any setting dangerous. Hopefully, this Committee and the General Assembly will acknowledge the commitment of our Guardsmen who put their lives on the line, every day and every hour they serve in winning and sustaining the freedoms we all enjoy. This is both a question of honor and a question of responsibility.

For me it is a personal embarrassment that the Connecticut National Guard must rely on charitable donations to meet the needs of our soldiers....soldiers who wear the insignia of this State, and the families they left behind when there is a \$60 million dollar fund set aside to help soldiers, sailors, marines and airmen. Rocky Hill already has veterans of Desert Storm and Operation Iraqi Freedom in our homeless domiciliary. The need is very apparent as this war continues. We must find a way to address the unmet needs of these soldiers and their families. The Department of Veterans' Affairs stands ready to assist the State of Connecticut in this mission. This concludes my testimony. I am happy to answer any questions you may have.



**Veterans of Foreign Wars  
Department of Connecticut  
Action PAC/Legislative Committee  
Michael J. Fox; Chairman**



26 February 2004

Public Safety Committee

**RE: Raised Bills 315, 316, 317**

SB 239

The abovementioned bills, which are subjects of this Public Hearing all concern veterans and the Soldiers, Sailors and Marines Relief Fund. The purpose of this fund is to assist the neediest of us, and our immediate families, who have valiantly fought to maintain the cherished freedoms we enjoy here in the greatest country in the world. In its present form, since 1962, The Fund does not receive one red cent of taxpayer money. It is perpetuated solely by investments of the principal. Indeed, it is the only state agency that reimburses the state for its employee benefits. Obviously, were the Commissioner of The Department of Veterans' Affairs permitted access to up to \$2,000,000 of the principal as suggested the ability of The Fund to assist our homeless and otherwise needy veterans would be greatly curtailed. Vietnam Veterans, the most maligned in history, are the biggest recipients.

**Raised Bill 315** suggests that members of the Connecticut National Guard be given access to the fund while on active duty. Being a former member of the National Guard I have the utmost respect for its members and their mission. National Guards throughout this great country have taken on a new and extremely important role, that being the first line defenders of freedom throughout the world. While they are on active duty fighting terrorism in Southwest Asia or defending the freedoms of people in downtrodden countries over the globe they are the responsibility of the Department of Defense of the United States. Many of them are supported by the communities from which they hail and are accorded Military Funerals, should it become necessary. If they remain on active duty, which is the case for most, if not all, for 90 days they are deemed eligible for assistance through the fund. The Veterans of Foreign Wars of the State of Connecticut supports the Connecticut National Guard in its programs and deeds. As State Legislative chairman I am opposed to **Raised Bill 315** as it is written.

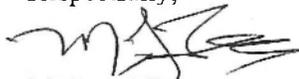
**Raised Bill 316** establishes a bonus for Iraqi Freedom and Enduring Freedom veterans not to exceed \$1000.00. The Veterans of Foreign Wars of the State of Connecticut would support any legislation honoring veterans for their sacrifices during war and would even assist veterans in applying for this bonus. The Veterans of Foreign Wars believes that those who have fought for our way of life and to expose our way of life to those that have been victims of oppression foisted on them by maleficent dictatorships deserve to be given assistance by the state upon their return. Once again we must be careful not to usurp the availability of assistance for the neediest of veterans.

Raised Bill 317 establishes a relief account for The Connecticut National Guard. The Veterans of Foreign Wars of the State of Connecticut would support this account except for Section 27-128 which authorizes the Governor to transfer funds from the Soldier, Sailors and Marines Relief Fund. The Director of The Fund is the sole authority, through his/her regional representatives, for disbursement of monies in The Fund as should remain as such. As I previously stated while on active duty, members of The National Guard are supported by the Department of Defense. While at home station members of the guard are support their families with their guard pay and positions in the private sector. There are times, I am sure, when they may become needy of assistance and, by virtue of their tenuous situation as defenders of freedom and their classification as veterans, they may be deemed eligible for relief through the Soldiers, Sailors and Marines Fund. As proposed, Raised Bill 317 is not acceptable.

I would like to make a short comment about Raised Bill 239. This bill corrects some minor flaws in the statute authorizing the Department of Veterans Affairs and at first look is quite benign in its statements. It does, however leave the door ajar to use of the Soldiers, Sailors and Marines Fund and should, in my opinion, remain in committee for some corrections.

All that being said, I understand that a tentative agreement has been reached between the Adjutant General and the Director of the Soldiers, Sailors and Marines Fund. I would be only too happy to review that agreement and reflect the views of the Veterans of Foreign Wars. In addition, I would like to suggest that a representative of the State Commander and myself meet with the Committee in order to present the above bills to the full legislature in a manner that would satisfy the parties concerned to the fullest possible extent.

Respectfully;



Michael J. Fox  
Legislative Chairman  
VFW Dept of CT

1. MY NAME IS CHARLES SOLOMON AND I WORK OUT OF THE 103<sup>RD</sup> AIR CONTROL SQUADRON IN ORANGE, CT.
2. MY TITLE AT THE 103<sup>RD</sup> IS FAMILY ASSISTANCE CENTER COORDINATOR, ALONG WITH MY WIFE JANE. WE HAVE BEEN INVOLVED WITH THE FAMILY ASSISTANCE PROGRAM AT THE ACS FOR OVER 20 YEARS.
3. WE RECENTLY HAD 125 PEOPLE RETURN FROM AFGHANISTAN AND PRIOR TO THAT, MANY ACS MEMBERS WERE DEPLOYED WITHIN THE U.S. IN SUPPORT OF OPERATION NOBEL EAGLE.
4. I RETIRED LAST YEAR AFTER SERVING 28 YEARS, TO INCLUDE FOUR YEARS OF ACTIVE DUTY. I AM A VIETNAM VETERAN.
5. AS A VETERAN, I WAS ABLE TO UTILIZE THE BENEFITS OF THE G.I. BILL FOR MY EDUCATION AND COMPLETED BOTH MY B.S. AND MY MASTERS. I THEN TAUGHT FOR OVER 37 YEARS IN THE WEST HAVEN SCHOOL SYSTEM. I ALSO RECEIVED A BONUS FROM THE FEDERAL GOVERNMENT AND TAX EXEMPTIONS.
6. OUR JOB DESCRIPTION AS FAMILY PROGRAM COORDINATORS IS TO ASSIST THE FAMILIES OF OUR GUARDSMAN AND WOMEN WITH ALL INFORMATION PERTAINING TO ALL BENEFITS ENTITLEMENTS AND RESOURCES THAT THEY MAY NEED. THIS INCLUDES, BUT IS NOT LIMITED TO TRI-CARE, DEERS AND MILITARY PAY.
7. WHEN HELPING FAMILIES OF THE DEPLOYED MILITARY PERSONEL, WE HAVE COME ACROSS SOME HEARTWRENCHING STORIES. MANY

SB 315SB 316SB 317HB 5362HB 5363

FAMILIES ARE IN NEED OF FUEL, ELECTRICITY, RENT MONEY AND FOOD. THEY ARE ALSO IN NEED OF ASSISTANCE WHEN DEALING WITH LIFE AND DEATH EMERGENCIES. THAT IS WHEN THE FAMILY PROGRAMS MUST STEP IN AND BE ABLE TO HAVE RESOURCES AVAILABLE FOR HELPING THEM.

8. I AM STRONGLY IN FAVOR OF ALL THE BILLS BEING PROPOSED BECAUSE OUR VETERANS AND THEIR FAMILIES HAVE MADE A TREMENDOUS SACRIFICE IN SERVICE TO BOTH OUR STATE AND OUR COUNTRY.

IN CONCLUSION, THESE FOLDERS ARE GIVEN OUT AT THE VARIOUS CONFERENCES TO THE VOLUNTEERS IN ATTENDANCE, WHICH SIMPLY STATE, "I'M APPRECIATED". BY PASSING THESE BILLS, YOU WILL SHOW THAT OUR MILITARY IS TRULY APPRECIATED.

THANK YOU.