

**PA12-195**

HB5298

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THE CLERK:

House Bill 5343 as amended by House "A."

Total number voting	142
Necessary for adoption	72
Those voting Yea	139
Those voting Nay	3
Those absent and not voting	9

SPEAKER DONOVAN:

The bill as amended is passed. Will the Clerk please call Calendar 379.

THE CLERK:

On page 17, Calendar 379, Substitute for House Bill Number 5298, AN ACT CONCERNING FUNDRAISING BY VETERANS ORGANIZATIONS, favorable report by the Committee on the Judiciary.

SPEAKER DONOVAN:

Coming up the back is Representative Hennessy. You have the floor, sir.

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

I move for acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

The question is on acceptance of the Joint

Committee's favorable report and passage of the bill.

Will you remark?

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

Mr. Speaker the Clerk has an amendment, LCO Number 4910. I would ask the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 4910, which is House "A."

THE CLERK:

LCO 4910, House "A," offered by Representative Hennessy and Senator Leone.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize. Any objection?

Hearing none, Representative Hennessy, you may proceed.

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

Mr. Speaker, this is a short bill. It does two things. The first thing it does is it outlaws anybody representing -- misrepresenting themselves as collecting

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for a veterans organization. It creates a Class C misdemeanor and the other thing is that it creates -- it tasks the Department of Veterans' Affairs to publish on their Internet website a listing of all those charity organizations that achieve the standards that were set forth in the bill that are retro -- they are good charity organizations. I move adoption. Thank you.

SPEAKER DONOVAN:

The question is on adoption.

Will you remark further? Care to remark further?

Representative Adinolfi.

REP. ADINOLFI (103rd):

Thank you, Mr. Speaker.

This bill is very much due. All of us, if you think about all the mail you get from different veterans organizations for contributions, and usually when you get something from a veterans organization, you usually contribute something or do something. You know, you get all those return mail addresses and stuff in the mail and you feel obligated to do something.

But what we learned here on the Veterans Committee is that there are many, many of these organizations that give very little to the veterans and their commissions are very, very, very high. Organizations like the American

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Legion, the VFW, the Disabled American Veterans do give most of their funds, the large vast majority of their funds goes to the veterans. But there are many organizations out there that don't do that. They might keep 85 percent of the funds for salaries and such and give 15 percent out to the needy veterans. So the idea of this bill, the amendment which will become the bill is that in order to be listed on our website, the Department a Veterans' Affairs website, they have to fill out a form and show that they qualify and then the commissioner, at the discretion of the commissioner up there, they will decide whether they put these organizations as a link on the veterans website in Connecticut.

And I think that's a good thing that we do the screening because our veterans will benefit more and we will stop the misuse of the website or these veterans organizations that come up one day and then gone tomorrow. So I "urgely" ask you to support this bill and we move ahead and help our veterans.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Senator -- thank you, Representative.

Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

I agree that the idea of people raising money with the idea of helping veterans and then it turns that the money is really going into the pockets of the solicitors or the advertisers, is very much of a problem. But through you, Mr. Speaker, I do have a few questions to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed.

REP. AMAN (14th):

Yes. Looking at the start of the bill where it talks about on or before July 1st this year, there will be a site informational page listing benefits and service programs offered to veterans.

As I remember the page, there used to be summaries and stuff on there. Hasn't the Veterans Administration been doing something similar to that over the last several years?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

Through you, last year, we tasked the Department of

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Veterans' Affairs Commission to list all state and federal organizations that provide benefits to our veterans.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Well, I'm looking at it. It says page listing any benefits of service programs offered to veterans. And I remembered that I had at one point in our community, I brought out the commissioner -- the Veterans Commission commissioner and she had information for us on veterans benefits. And I remember getting a copy of the federal benefits summary and that book was, I don't know, several hundred pages long and as was the way I'm reading this, all several pages would have to be on the website. Is that the intention of the bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Through you, Mr. Speaker.

It's a link to the website, simply.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So it's my understanding the charge to the Veterans Commission -- or Veterans' Affairs shall be that they -- on their page they would have what? A short paragraph summary and a link to the various things since they're so -- there's literally hundreds of thousands of programs that help veterans. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The commissioner has been tasked to put this together so I'm sure she's doing something along those lines.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes. I find it very disturbing that we have to pass a law saying that they do this. To me, it should have been one of the first things that is the Internet became more readily available to people that it had been done automatically that we didn't need to do (inaudible). ]

On the section that deals with charitable

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organizations, again, the idea of the for-profit groups that basically get such a high commission that nothing goes to the veterans, I am very glad to see regulated. But a question to the proponent is, what is the Veterans' Affairs Department's responsibility as far as checking out these organizations before listing them? Or where are they to get the information about whether they're legitimate or not?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

So the way the bill is written, the commissioner will create an application form in which it behooves the organizations that want to be on the list to fill the list out and the fulfill those criteria. We set certain benchmarks, but the commissioner is free to continue as she sees fit. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So it appears that the commissioner, again, is getting wide latitude to come up with a system. Now, is

this only for organizations that want to be listed on the web page? Through you, Mr. Speaker, or is this for all organizations that do this type of work.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker, it simply a voluntary thing that organizations who wish to be listed will fill out this application and try and get on it. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Unfortunately, I'm looking at that saying the very people that we want to regulate and control are the very people that are not going to ask to be put on the list and are going to opt out. And I think that's going to be a problem. Meanwhile our local -- especially our local veterans' affairs groups that would like to be listed, I'm thinking of one right now that was just recently formed it town to raise money to put a brick wall around the veterans flag and memorials at are Veterans Memorial Park who would want to be listed are going to have to go through this, and again, unfortunately, the bad people are not

going to be done.

If a organization asked to be on the list and the commissioner turns them down for whatever reason, is there an appeals process built into the law or is this something again that's at the commissioner's discretion?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker. The latter, there's no appeals written in the law.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I think I always find it uncomfortable when we write a law without some sort of appeals process built in. Hopefully, that the commissioner will take a very pro-veterans attitude, which they always do and work accordingly. But I don't think it's good law to set up something in law and then not set up an appeals process. So I will be approving this, but I do think there would have been a few things that we could have put in the bill to make it a little clearer, a little easier to manage.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. If I may, a couple questions to the proponent.

SPEAKER DONOVAN:

Please proceed.

REP. ALBERTS (50th):

Thank you.

I think in similar vein to the previous speaker one of the things that I'm concerned about here is how the initial word is going to be gotten out of to folks. As I understand it, the amendment that's before us that will become the bill basically stipulates that once you're on the list you're on the list for three years.

I'm a little curious about how the process will develop for folks to be initially sought out for inclusion on this list. If the veterans' department essentially posts this, but doesn't do an outreach initiative no one will know about this.

So I'm curious if the proponent has knowledge of what outreach activities will be done by the Veterans' Affairs commissioner to get the word out on this legislation.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

By virtue of the fact that we're doing this, organizations that are retro -- I can't say that word right at the moment, but good organizations will be wanting to get on the list so that they can easily be recipients of donations.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

So I understand that reputable organizations will want to be on the list. How will they get word that this program exists? Is there going to be an initial outreach upon passage of this out to many of those organizations letting them know of what the new procedure may be?

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Nothing has been done on that within this bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

And line 37 makes reference to a link to such organizations Internet website, but if the organization doesn't have a website, that's not going to be something that's going to disqualify them from the list. Will it?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

No.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

And I thank the proponent for his answers. This is an excellent bill that's going to be before us in an urge my colleagues to support it.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, a question to the proponent, the chair of the Veterans Committee.

SPEAKER DONOVAN:

Please proceed.

REP. YACCARINO (87th):

Thank you, Mr. Speaker.

Representative Hennessy, the reason we're putting this legislation forward -- which I support wholeheartedly -- is -- was their abuses currently with fundraising to the Veterans' Affairs Committee?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes. Thank you for the question. Of course, we have been hearing all sorts of problems that there are disreputable organizations seeking to rip people off.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you for the answer. Thank you, Mr. Speaker.

Is why we had a three-year period where an organization has to be on this website or affiliated it for three years to be in good standing? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The answer is yes, through you.

SPEAKER DONOVAN:

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you for that answer.

I support this. It was a bipartisan effort between a good chairman, are ranking member Adinolfi and the Veterans Committee as a whole. I urge all my fellow members to support this.

Thank you.

(Deputy Speaker Aresimowicz in Chair.)

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Representative Coutu of the 47th, you have the floor,  
sir.

REP. COUTU (47th):

Thank you, Mr. Speaker.

Mr. Speaker, just want to come out in strong support for this piece of legislation. As someone who's formed a veteran organization, American Warrior, and sent World War II veterans to Washington D.C., no one gets any funds for organizations except for the veterans. And when you see other organizations sometimes out of state or in state who have no credentials, no credibility, but set up a tin can and post a uniform near the tin can and say give us money, that's where this piece of legislation is coming from. I've seen it over and over in southeastern Connecticut. We know of groups and entities. American Legion, VFW, DAV, AmVets, ESGR every veteran group in the State has seen it and it's extremely frustrating to know people are being taken advantage of.

So this bill is a great piece of legislation that will help us track credible veterans organizations that have been in operation for three years and have progressed to a level that we consider meets all the criteria to be posted

on this website. In my view, it's something similar to the Better Business Bureau. Not everybody checks it, but the fact is you can tell them, look at this website. This proves that we're credible. You could put it on flyers, brochures, tri-folds. And it really seals the deal that people can comprehend you are a credible entity raising funds in the state of Connecticut for veterans.

This piece of legislation comes from many different organizations working together for a couple of years. We've been trying to find a solution time and time again and I think this moves us towards that direction.

I have a few questions, through you, to the proponent of the piece of legislation.

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. COUTU (47th):

The legislation -- the state of Connecticut has a process where you can become a charitable organization if you raise less than \$25,000. If someone is in that status for three years and is operating and has no complaints and is doing the right things, can they join this list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I can -- alls I can do is refer to the language "non-stock corporation organized under Chapter 602, or any predecessor thereof for three or more years." So...

REP. COUTU (47th):

Thank you. Thank you, Mr. Speaker.

We all know there's a process for literally an entity to become charitable organization. That's not a 501(c)(3). It's basically you can raise funds in Connecticut, there's very few restrictions and under this status that you are only raising up to \$25,000 a year for three out of five years. I believe it's something that we need to, as a Legislature, keep an eye on because this is sometimes the way that these organizations get around the loophole of being -- not being a 501(c)(3), but setting up shop legally in the state of Connecticut. And I think this legislation where we post the organizations that have proof that they've followed the rules and done what is required to get on this list, it's going to drastically help.

That's about it, Mr. Speaker. As I said, I think this is a great piece of legislation. It will do a lot of good for the veterans organizations, all the veterans

organizations that I know across Connecticut support this piece of legislation, and as a fellow vet, thank you to the chairman, the ranking member and the members of the Veterans' Affairs Committee for making a difference.

Thanks.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Representative Lavielle, of the 143rd, you have the floor, madam.

REP. LAVIELLE (143rd):

Thank you, Mr. Speaker. Good afternoon.

DEPUTY SPEAKER ARESIMOWICZ:

Good afternoon, madam.

REP. LAVIELLE (143rd):

I think this is also a very good and necessary bill because the veterans that I know find that it is very difficult sometimes to have enough vehicles to get funds and other needed things to folks that they have known for years who have served in many conflicts and are kind of down on their luck at this stage. And I think this is an excellent effort.

I do have a few questions for the proponent, if I may?

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, madam.

REP. LAVIELLE (143rd):

Thank you so much. I believe I saw in the -- I'm sorry. I don't remember the line -- there it is. Line 9 -- that this includes programs that are available, not only to veterans, but also to members of their family. Is that right?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

That's correct. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Excellent. Thank you. And what is the process exactly for an organization to get on this list? We've talked about their qualifications, but what do they actually have to do technically speaking to get on the list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The commissioner of the Veterans' Affairs Committee will create an application form in which organizations will have to fill out.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

And then they submit the form and there -- is there a fee or anything like that? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Negative. No fee.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

And I also recall seeing a little farther on in the bill around line 21, that the status has to be renewed every three years. Is there a particular process for that? Is it automatic? Do the organizations have to petition?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, we really didn't set out in legislation exactly how the renewal would be. But, you know, if they are in existence and they are reapplying, I'm sure it's a pro-forma operation. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

And one thing I'm particularly interested in knowing about and making sure that we have, what is the verification process that the commissioner of Veterans' Affairs uses to make sure that these organizations are legitimate, apart from the fact that they've existed as a non-stock corporation, what have you, for three years? How do they do a background check? What is the process for that?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

So we were interested in being able to set in statute certain qualifications. We looked at a lot of different qualifications, but we weren't interested in picking winners and losers. We kind of wanted to create a higher standard. So that's why we came up with three years and that it was, you know, the "non-stock corporation" language. The commissioner is able to, if the commissioner so sees fit, they could probably do criminal background checks on the board of directors or anything along those lines, but we didn't think we should put it into statute.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

Have we had in recent years incidents of a lot of organizations trying to pass themselves off as a veterans charity? Have we had documented instances of this? And if so, how frequently?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

In the news recently, there was this veterans' affairs organization -- Veterans' Support Organization and that is deemed a rather fraudulent company, so I understand. And so it's such a company as this that -- it's actually nationwide -- that this legislation is aimed at addressing. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

Well, that was nationwide. Does this site accommodate organizations that our national and not just domiciled in Connecticut?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes, of course.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

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REP. LAVIELLE (143rd):

Thank you.

And just one more: Are there -- do new Veterans organizations that are legitimate come along with any frequency? Or is it quite rare?

Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I personally have had no experience in this kind of purview. So I really couldn't speak to that. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you.

Actually, just for clarification, would the Representative know how much, roughly, is raised annually in Connecticut in terms of points for veterans and their families?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

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REP. ARESIMOWICZ (30th):

Through you, Mr. Speaker.

Thank you for that question and I'm afraid the answer is no.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Perhaps one day we'll know. Thank you.

I think this is an excellent effort. Sometimes the folks who are associated with veterans really have absolutely no means of finding support when they need it. They are often very lost in terms of where to go. Some veterans come back from being overseas and they have -- they are homeless. They don't know who to address themselves to.

Calling the commissioner of Veterans' Affairs would seem like a no-brainer, but sometimes they don't know to do that. Having an accessible site with everything available is really the least that we can do for them as a state, so I applaud this effort and I thank the Representative for his answers. Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam. Will you remark further on the amendment?

Representative Smith of the 108th, you have the floor, sir.

REP. SMITH (108th):

Thank you, Mr. Speaker.

A few questions to the proponent, please.

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. SMITH (108th):

I was wondering if there's any limits in the amount of solicitations for this bill to apply.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I'm sorry. Could you repeat the question?

DEPUTY SPEAKER ARESIMOWICZ:

Would the gentleman please repeat the question.

REP. SMITH (108th):

I'd be happy to. I wonder if there's any limits in the amount of the solicitation for this bill to apply.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

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REP. HENNESSY (127th):

Through you, Mr. Speaker.

To the best of my ability, I would say no.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And the reason I ask the question is because I'm looking at the end of the bill and it calls for a class C misdemeanor for a violation of this bill as it's drafted. So I'm clear in the answer, if one were to solicit a dollar, for instance, and it was found that the solicitation was not by an organization that qualified under this particular bill, would that person be subject to a class C misdemeanor?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Thank you for that question. Yes, that's misrepresentation. It would also be noted that there's two other penalties associated here, misrepresentation and larceny. So the larceny would be in lieu of how much money is involved. Through you, Mr. Speaker.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer.

And I thought I heard you state in your opening comments and I was looking through the bill and I did find the class C misdemeanor section, but I did not find, in my quick reading of it, the misrepresentation clause. And I'm just wondering if the Representative could point that out to me.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

So this bill just adds certain amount of information, but doesn't affect underlying like a statutes that are already in existence which these two -- two other penalties would be already in existence and would apply to anyone that's falsifying themselves.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you.

So it would be misrepresentation. I apologize, but I'm just -- I forgot the other penalties that would be the place under the existing statute. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Larceny.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Larceny would make sense in light of the class C misdemeanor, so thank you for that.

Are there any similar statutes or current law that we have now that would impose a similar punishment for defrauding a -- or holding oneself out to be legitimate nonprofit organization who later came to find out was not such? Are there any current statutes that deal with that?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We ran this by the Attorney General's office to see what -- how they thought about it and he thought that since there was already two penalties that the class C misdemeanor would be appropriate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Yes. I probably did not frame the question very well, so I apologize for that. But I'm wondering if I held myself out to be a nonprofit organization collecting money for, say, cancer research, and it came to be that, in fact, I had no such organization, but I was just holding myself out to be such and I was collecting money and solicitations for that, are there any similar laws already in place that would prohibit that type of conduct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I'm not aware of statutes relating to other organizations other than what this bill is focused on.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you.

And the reason I ask the question is I'm very much in favor of supporting the veterans and, you know, in favor of this bill, as well. I am concerned, however, that we're identifying a certain class of individuals such as the veterans, while there are certainly other legitimate organizations out there as well who certainly may need this type of protection. And I think we ought to look to make this a similar-type bill for those of the nonprofits. I think if there's any type of misrepresentation, any type of fraud that harms the public and harms those charitable organizations that are trying to do good for the state in our communities, that they should suffer the same penalties.

I'm looking at line 18 of the bill and it talks about within available appropriations. And my question is: Under the budget as we have now that's in place, are there available appropriations for this type of bill?

Through you, Mr. Speaker.

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Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The commissioner has staff, and as she sees so fit, she will direct her staff to fulfill this.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

So if I understand your answer then if, in fact, there is not enough staffing or in terms of the commissioner's discretion then this bill, even if it were passed today and passed by the Senate, that there still would be a possibility that we might not have this available on a website.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

That's correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And is there any fiscal analysis that set forth in the bill? I did not have a chance to look at that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

There is no fiscal impact.

Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you.

I was looking at lines 27 to 31 -- and actually, lines 27 to 30. And the last clause in line 30 it says, "relating to or on behalf of veterans." And I'm wondering -- I mean, that's a very broad clause and I'm wondering if the good Representative can help define what that would be limited to.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

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I really couldn't answer that question. LCO wrote it. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Well, I was thinking of a situation like a we've all been to ballgames, baseball games, whatever. We're hanging around the parking lot and inevitably someone will come along with a small American flag saying, I represent such and such for the veterans. Would you like to donate a dollar from veterans, and in turn, you get a flag.

And you know, we always donate the dollar because it's -- seems like a worthy cause and why not? But how would one know whether that particular person who's seeking that solicitation is, in fact, part of a legitimate nonprofit organization for the veterans.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I'm sorry. Could you repeat the question?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith, would you please repeat the

questions, sir?

REP. SMITH (108th):

Yes. I was talking about the scenario when you go to a sporting event or any type of event, and typically, it's not unusual to be approached by someone with an American flag saying, I'm collecting solicitations on behalf of the veterans. Would like to donate a dollar or 5 dollars or some denomination. And it's not unusual to reach into your pocket and actually make the donation, but I've often wondered, is it really going to the veterans organization or not? And I was -- my question to you is, how can one know, for instance, in that scenario whether it's a legitimate donation or not?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker. Thank you.

Well, you know, the answer is you can't know which is why we are creating this website.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And this maybe -- maybe it's something we want to think about what this bill going forward, that those who are seeking solicitations would have some type a type of identification requirement that they are, in fact, part of a legitimate group, because certainly you could quickly look it up if you had your iPhone or some other type of gadget these days and see if they're on the list that we're talking about creating, but most likely, you're not going to do that.

So if they had some type of proof that they are, in fact, part of a legitimate organization that you know the money will end up where it's intended it would make, I think, a lot of people feel a lot more worthy of the cause and perhaps even reach a little bit deeper in their pocket to help support that organization. So is just an idea that we may want to consider going forward.

In line 32, it talks about one having -- an organization having to be in existence for three or more years in order to get onto the list. And I wondered why three or more years is the standard.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, we considered five, but we considered that was too long. And so we kind of came up with three.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And I was thinking maybe it even should be shorter. For instance, if you have a -- let's assume you have a new organization that came out of the war that we're currently fighting overseas in Afghanistan or -- and there was organization that was created. It's a 501(c)(3). It's legitimate. It goes to help the warriors who have been wounded or some other type of cause that would certainly help veterans. But now this organization cannot actually seek solicitations. They must wait for three years in order to engage in this worthy project.

And I was wondering if there's any reason why it's three and not one? Or something or just a upon proof that is a 501(c)(3).

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We're trying to create a standard that shows some kind of track record of viability. That's why the three years -- and it doesn't preclude other organizations from existing. It's simply they won't be on their website.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Well, I think that's an important clarification. So in other words, if I wanted to start a 501(c)(3) today and donate the money to veterans, I could still do that, it's just I would not be on the state website for that purpose. Is that accurate?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes, that's correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And I know you mentioned you were looking to establish

a track record and what in that track record are you looking for in order to legitimize the agency who seeking the donations?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, we gave that to the commissioner to flesh out.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

So is it totally within the discretion of the -- commissioner's discretion or are there certain standards that he or she would look to?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

You know, right now the commissioner could do any of this if the commissioner so wanted. We, as a Legislature, deciding that we would like to have this done which is why

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we're putting it into legislation. But we're just creating the high benchmarks and she can come up with other credentials that are appropriate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you for the answer.

And I was thinking about Connecticut and in many parts of Connecticut is a very wealthy state and it's not unusual to receive large donations for charitable organizations. And if that were to occur here, let's assume somebody really wanted to get a lot of money, they wanted to give a million dollars to the veterans group that was listed on the state's website and we come to find out that that organization is not legitimate. In fact, a million dollars went into the pocket of someone who has subsequently taken off with the money.

Would that donor at any type of claim against the state in that regard?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

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Through you, Mr. Speaker.

This legislation doesn't address that. It sounds like the answer would be no.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And the reason I asked the question is I'm looking at line 41 to 43 and it talks about the State of Connecticut provides no warranty about the content or accuracy of the content herein, which is sort of a disclaimer that we typically see in these types of, you know, any type of product that's being sold or whatnot. But I'm wondering whether that's been vetted out with the Attorney General's office, whether that's enough of a disclaimer in which to protect the State for this type of potential situation.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

Yeah. Before we considered this to be viable for us to consider on the House, we did, in fact, check with everyone to make sure that this was good.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Mr. Speaker

I caught most of the answer and just the very last part where he started to chat and then I kind of lost the rest of the sentence. So if the good Representative could repeat that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We had this -- no pun intended -- vetted out and this was considered to be appropriate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

So I'm sure, so you had the conversation with the Attorney General's office and they were satisfied with the language that's contained in this bill. Is that accurate?

Through you, Mr. Speaker. "

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker, yes. That's correct.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And thank you for the answer.

And lines 44 through 47, it kind of lays out the fine provision that we're talking about a little earlier and it says there must be in intent to defraud. Would the mere receipt of a solicitation or a donation in and of itself be enough of an intent to defraud if the organization was not, in fact, using the money for veterans' affairs?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes, that's correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

I thank the good gentleman for the answers.

It's always refreshing to see bills that will help our veterans. I know they risk their lives on a daily basis for us to be here doing what we're doing while they're putting their life in danger day in and day out. So anything we can do to help them, and I think this bill does that. I'm happy to support it and I truly hope that it does make a difference because I know how many times we all seek requests for solicitations and donations and you often wonder how much actually gets to the organization that's promoting the solicitation or if, in fact, it ever gets there.

So I think this bill goes a long way towards helping that cause and I thank the gentleman for bringing it out and I thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on House Amendment Schedule "A?"

Representative Sawyer of the 55th, you have the floor, madam.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

A question to you to the chairman of the Veterans

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Committee.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy, please prepare yourself.

Representative Sawyer, please proceed, madam.

REP. SAWYER (55th):

I apologize for making you stand one more time, sir.

Is there any national list already created through the Federal Veterans Administration for organizations that are on the national level?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I am -- there may be, but I am not aware of it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you.

And how would you expect that some of these national organizations would know to contact the commissioner in our tiny small state of Connecticut to get their organizations onto this list?

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

While we're creating this, there's -- you know, the commissioner does her outreach within the veteran communities. So I'm sure that they would hear about it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

If I understood his answer correctly -- then maybe I need a clarification -- it is expected that the commissioner will do an outreach to known organizations across the country so that they would know to become include in this list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

People who want to be on the list are going to have to apply. So this -- this -- we're reading this list and

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people have to apply for operating within the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

You know, I looked at the underlying bill and then I compared it to the amendment. And in the underlying bill, there was going to be work between the Department of Veterans' Affairs and the Department of Consumer Protection. In the past, most of these things have gone through DCP, consumer protection and so this is a little unusual to have it specifically under Veterans' Affairs because a lot of our nonprofit work goes to a list of being verified through the consumer protection.

Could you tell us why the Department of Consumer Protection was dropped in this particular amendment?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I'm not really sure of the question. Could you

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please repeat it?

REP. SAWYER (55th):

Absolutely.

Mr. Speaker, in the bill analysis for 5298, you go down in the summary and it talks about in compiling the list, the Department of Veterans' Affairs and the Department of Consumer Protection commissioners must consider charity accountability, blah, blah blah. Well, then I looked, that was in the underlying bill and then I looked in his House amendment and the Department of Consumer Protection is no longer in the substitute, if that helps the good gentleman.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We did check with the agency and that's one of the reasons why we set the two qualifications because we were thinking on doing a lot more, but we really wanted to tone it down and they were okay with it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you and I appreciate your honesty.

So let me ask a question now. If we have an organization in town, a veteran -- I'll take it -- he's not an organization. It's a veteran. He's a very active veteran. He decides to hold a very large tag sale to raise money. He's going to use the money he raises to send care packages to active military. Is that something that he should be looking forward to -- should he contact Department of Veterans' Affairs because we're talking about thousands of dollars here?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

This bill does not address that. I'm sure that they are free to do such organizations.

Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

And in the case where, say, some of our local veterans organizations, approved ones, decide to contract with a

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fundraising organization to help them raise money. And that fundraising organization will take a significant portion of the proceeds. They may take 50 percent of the proceeds because they have been contracted with and they're going out to work on behalf of this organization. Is that something that would be allowed through this?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We looked at the ratio of organizational expense and the expense going to our veterans and, you know, unfortunately, you know, people can lie. They could present inaccurate testimony that isn't verifiable, which is why it's not in the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

I think I will ask the question again, Mr. Speaker, but in a slightly different manner so that I perhaps -- I did not make myself understood.

The way this is written, because now there would be

high levels of expectation for these groups to have the money go to the veterans, if a veteran organization -- does a veteran organization have to be concerned about hiring a fund-raising firm to help them?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

You know, this relates to a portion on the website of the Commission of Veterans' Affairs. So it really doesn't speak to that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

I appreciate that.

I was actually thinking of Section 2 in that particular instance because there is now going to be penalties going forward with the group so I was concerned about the penalty, someone being accused of not giving all the money to a -- or as much money as possible to the veterans if they had to pay a subsidiary a significant portion of the proceeds to help them raise money.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We can't really see where that money is going to, like I said in the previous thing. So where there's intent to defraud, they will be incurring existing statute and the new one that we're presenting.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

And just one last request, and that would be, I looked through the testimony and I didn't see any specific citings from the written testimony where organizations had defrauded people of the money and it did not go to veterans.

Did you hear verbal testimony during the public hearing of specific examples where groups had defrauded the donors and the money had not gone to veterans?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes, in the public hearing there was a rather interesting testimony by the commissioner herself who was solicited in front of a grocery store and when she started asking the person by who's authority the money was being raised, the answer was oh, Commissioner Schwartz actually, yet having no idea that he was talking to Commissioner Schwartz.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Well, wouldn't have been quite an embarrassing moment in time.

What should someone do if they find that they've run into this exact same situation? Someone has approached them. They're very uneasy. They feel that there is something very shady going on. To whom should they report it? Should they report it to the Department of Veterans' Affairs or to whom should they report it?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, in the case of this shopping center, I believe the appropriate thing to do is go to the manager and tell him to get those people out of there.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

I would agree with the distinguished chairman, absolutely. But in the case where they would like to bring them up under a class C misdemeanor, to whom should they report their suspicion?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker, I would say the law authority. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Sawyer.

REP. SAWYER (55th):

Thank you very much.

I appreciate the chairman's answers to those questions, and I think as we establish legislative intent, it's very important to sort out what the expectations are;

who should be contacting the commissioner to get on the list, what the expectation is for the commissioner and to whom she should be reaching out to and with great hope and expectation that within available appropriations that this list is created.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

As is my typical greeter, the good Representative of the city of Waterbury in the 74th District, my good friend, Representative Noujaim, you have the floor, sir.

REP. NOUJAIM (74th):

Good afternoon, sir. My good friend from Southington. How are you?

DEPUTY SPEAKER ARESIMOWICZ:

Good, sir. Thank you.

REP. NOUJAIM (74th):

Good to see you there.

Mr. Speaker, talking about this bill is a very important topic for me. They always say, and being from Southington, you know that you hear about that there is never a dull moment in our city. And when it comes to veterans in the city of Waterbury, God bless them. They are very, very active. They do all kind of events. They

invite us to those events, whether it is the Veterans Day event, the Korean War event, the Memorial Day event, the Labor Day event, every day with them there is an event and they do a very nice job.

As a matter of fact, Mr. Speaker, about four years ago through the effort of the entire Waterbury delegation both Democrats and Republicans, we introduced a bill to award medals to veterans. And we performed this ceremony at the Palace Theater in Waterbury where the Waterbury delegation presented 493 medals. 493 veterans with their family -- families came to the Palace Theater in Waterbury to receive medals and it was a great, great, great event.

So they are so active and they do many things and they raise money, and because of this I wanted -- if I may, through you, Mr. Speaker to ask a question to the Chairman, Representative Hennessy.

Through you, Mr. Speaker to Representative Hennessy, line 19; line 19 says, "to publish a list of qualified veterans charitable organization." Now, we have a Veterans Committee in Waterbury and they do raise funds for the goals that they have. And all of their goals are very charitable. As a matter of fact, on the 23rd of this month of May, they have an annual dinner and my wife and I are happy to attend -- will be happy to attend this

dinner.

So when they raise this money, do they count as qualified, or do they have to list themselves on a specific list so that their name will be already assembled and their name will be mentioned in the list of qualified organizations? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker, to the good Representative from Waterbury.

In order to get on the list, you have to fill out the application.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, the question is, if they have not filled out an application, would this prevent them from being able to raise funds to do the projects? And all of the project our local and those veterans in Waterbury essentially don't have any expenses because all of them are volunteers. So they do raise this money.

Would this bill prevent them from raising money for their local goals?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Noujaim.

REP. NOUJAIM (74th):

Great. I'm really happy to hear this answer, Representative -- Mr. Speaker.

And to Representative Hennessy, lines 21 to 24 talk about applying and reapply to become on the list. And let us face it, many veterans organizations are older folks. Some of them may not be able to go on the Internet and search through the Internet to find out how do they apply.

Is there any mechanism for the State of Connecticut to inform them by -- in writing that they do have the opportunity to apply?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, within the legislation the answer is no, but the commissioner has discretion to do outreach. If someone were to call, I'm sure they would be happy to mail the form through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you Mr. Speaker.

And I'm pleased to hear this answer, as well, because I know the commissioner and I know how active she is in Veterans' Affairs and I'm sure she will be in contact with all of the veterans organizations letting them know about the value actually to our state.

The other question that I have, Mr. Speaker, is lines 36 through 38 mentions a link to their website. If they do not have a specific website, but I know that many, many times if you click and you do not have a website, at least it will give you the name of an organization, a contact number and a telephone number. Would that be the case here, Mr. Speaker?

In the case of the city of Waterbury if they do not have a website, would that link at least give the person

a little bit of information about who to contact when they are contacting our veterans?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

To the good Representative from Waterbury, thank you for that question. We're trying to facilitate an easy way for citizens to donate to our veterans, our most worthy veterans. So we presented the link as the most efficient, but of course, street address, phone numbers, fax numbers all that also can be included.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

This is very encouraging. We value our veterans. I close my television program every other week by thanking our veterans for the efforts that they made on our behalf. Because of their sacrifices, we have the freedom that we will enjoy this wonderful country of ours and we truly appreciate what they do for us.

So I am very, very happy and pleased to support this bill and I urge that my colleagues support it.

Thank you, sir.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the amendment before us?

Representative Srinivasan, of the 31st District, sir, you have the floor.

REP. SRINIVASAN (31st):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Good afternoon, sir.

REP. SRINIVASAN (31st):

I rise along with my colleagues, both side of the aisle in strong support of this piece of legislation, of this amendment. Publishing a list of qualified veterans organizations, charitable organizations is much needed. So people who want to contribute in one form or the other, have a place to go to and of course the people to gain will be these various organizations.

So this is something that should have -- I'm very happy to be supporting. Something that we should have done and I'm glad moving forward we will be able to accomplish this through all of us. Through you, Mr.

Speaker a few questions to the proponent of the bill, the good chairman from the Veterans Committee.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker.

Line 23 -- I know you've referred to this before in the earlier part of our conversation that three years has been the timeframe that has been chosen, and you talked about five years as well. Were there other any years ever thought about, or you felt three and five were the options and decided -- the committee decided on three?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes, that is correct. We considered a number of years and we thought three was a good number. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker.

Line 41 talks about for the purpose of information that will be posted on the website. Will this information also contain, through you, Mr. Speaker, the amounts raised, the amounts distributed and the percentage of the money that was used as an overhead and what was actually distributed to the various organizations? Will that information also be available?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, I guess we could make this more expansive, but right now, we're just interested in letting people know about reputable organizations.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker.

And organizations that may have significantly higher overheads, how would we be able to separate them from the organizations that run more efficiently? Through you,

Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I believe he can get that information from the Secretary of State's office.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you for that answer. I appreciate that. And through you, Mr. Speaker, if an organization is -- misuses the funds, the trust that has been placed on them, what is the recourse that we have to take care of the organization that has misplaced the trust? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, that's Section 2 of the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Srinivasan.

REP. SRINIVASAN (31st):

And through you, Mr. Speaker.

In this process where we are not certain if there has been misuse, but there is this doubt that something is not right, something could possibly be wrong. During the process of evaluation and investigation, will those funds still remain on the list or will they be removed from the list? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I believe that the commissioner has the ability to remove the site. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker.

And I want to thank the proponent for his answers.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir. Will you remark further on the amendment before us?

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Representative LeGeyst of the 17th, you have the floor, sir.

REP. LeGEYT (17th):

Thank you, Mr. Speaker.

I rise in -- to be very supportive of this bill, and yet, I do have some questions for the chairman of the Veterans Committee, if I might?

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. LeGEYT (17th):

I'm looking at this bill and wondering why it's necessary in the first place. Why would the Department of Veterans' Affairs have to have enabling legislation to simply provide a list or a way for veterans groups to promote themselves on the Department of Veterans' Affairs website? It seems like something that could easily be handled at a lower level within the department itself. I'm just curious as to why -- what's the need for the legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes. Thank you for that question. We don't really need to legislate this, but the need is so great that it's unfortunate that we are compelled to do that to protect the citizenry of Connecticut from being defrauded. There's so many instances in which people are giving money to illegal operations and we have to do something about it. So the Legislature is moving forward with this. But you're right. The commissioner could do this on our own.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker, and I thank the chairman for the answer.

I'm wondering to take that a little further. Is the Representative saying that the Department of Veterans' Affairs needs some guidance as to what they might allowed to be on their website? And if that is so, then it would seem to me that at some level those decisions could be made by the department, the commissioner, deputy commissioners, someone who's in charge of the website could get some information from staff attorneys about what kinds of things they could allow and I'm just surprised that it has to rise to the level of becoming a bill. If

the good Representative could enlighten me on the reasons for that. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Well, you know, these are all new mediums that people are wrapping their minds around as it becomes part of our daily life, the web and whatnot. I'll remind you that last year we did a similar bill in which we instructed the commissioner to list links to benefit organizations for veterans. So this is the same type of bill, and now, we'll just go forward with that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker.

I'm looking at line 19 and other lines in the bill. And not that I'm completely unknowledgeable about this, but just for purposes of legislative intent, when it says "veterans charitable organizations," what is -- how broad or limited is the definition of "veterans" that's being put forward there in that -- in that reference?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The lists of what are veterans associations are already in statutes.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Right. Thank you, Mr. Speaker.

I was referring more to the definition of "veterans." Is it broad enough to include anyone who has gone to a military academy, but not served -- been in service to their country after their graduation for one reason or another?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

The answer is no. You have to have honorable or less than honorable in order to have that qualification.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Through you, Mr. Speaker.

Did I hear the Representative saying you have to have more than an honorable discharge?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I know that it's an honorable and I'm thinking also less than honorable in that it's kind of a neutral. It's not finding fault. A dishonorable definitely does not qualify.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker. I appreciate that.

Some of the groups that might be considered under this bill to be included on the website, certainly veterans support groups would be -- as long as they qualify under the other criteria, non-stock corporation or tax exempt

under 501(c)(3), would veterans support groups be able to be included on this list and on this website?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGejt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker. How about a group that would be organized to provide supplies to veterans on active duty? Would such a group be able to be included on the website and on the list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We're focusing on veterans, but of course something like that is a laudable enterprise and could be included.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

That's good to know. How about an organization that would promote veterans and encourage veterans awareness in schools? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you Mr. Speaker.

Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Yes. Thank you.

If there was an organization that was organized to make public service announcements regarding veterans and other military -- other veterans issues, would that organization be able to be on the list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I'm not really sure.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker.

I wonder what aspect of that idea would cause some question in the mind of the good Representative, if I might?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

You've come up with a number of different good things that help veterans and I'm sure that anything that helps a veteran that satisfies these two criteria can be listed on the website.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker.

I appreciate that. An organization that promotes various service and extended arms of the veterans hospital or veterans medical institutions, would an organization

like that be allowed to be on the website and on the list?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

I would imagine the answer is yes.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker.

And just finally, the process of application to be on the website, I think I heard the good Representative say that there's a form that needs to be filled out. Is that correct?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you.

And the purpose of the form would be too certified to the various criteria that are laid out in the bill and perhaps some other criteria as well? And if the Representative would share whether or not there are other criteria expected to be on the form. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We decided on these two and I'm sure that, you know, the commissioner can be looking into other criteria that they would deem appropriate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative LeGeyt.

REP. LeGEYT (17th):

Thank you, Mr. Speaker, and I thank the Representative for his answers.

It's almost a given that anything we do in this state and in this country, especially this month, to promote veterans awareness, to assist veterans, to recognize veterans, to help the healing process that veterans are often required to go through to become returning members

of our society, depending on the severity of their service. We are always ready to do this. And so I urge my colleagues to support this bill.

Thank you, Madam Speaker.

(Deputy Speaker Orange in the Chair.)

DEPUTY SPEAKER ORANGE:

Thank you, sir.

Williams care to remark further?

Representative Ackert of the 8th, you have the floor, sir.

REP. ACKERT (8th):

Thank you, Madam Speaker.

Just a couple of quick questions because I think most of them have been answered, but I want to start on line 18, through you, a question to the proponent.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. ACKERT (8th):

Thank you.

Within available appropriations -- I tried to do some research in terms of the bill analysis and fiscal analysis -- was there anything coming from the

commissioner's office that they said probably would be needed to put this together? Through you, Madam

Chair -- Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker.

Actually, the answer is no. ]

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Okay. So we wouldn't know -- I guess the concern is this is a very good piece of legislation and I would like to see it go forward obviously and hope to hear -- well, we didn't have the money to do that with all the conversation has taken place on it already.

So I guess to piggyback on that, on line 19 to term "publish," if by chance somebody, you know, called the commissioner's office and they said, geez, you know, is there any chance of you sending me the list, that "publish" only actually speaks to what's going to be on the website then. Is that correct?

Through you, Mr. Speaker.

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Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yeah. We were thinking of the website.

Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you.

And having been involved with fundraising for quite a number of years with an organization, there was sort of a state criteria that would allow companies to come into Connecticut and to fund raise on behalf of them. And it brings me to my the percentages that was mentioned earlier that was -- he said well, the organization only put 15 percent into the -- for the veterans or whatever.

Is there a percentage that your order of that the state's criteria would be -- is met -- it has to be at least 30 percent or 25 percent?

Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

We looked at this and we really would have liked to have put some numbers down on there, but the Judicial Department said that that basically is nothing that we could prove. So, therefore, we can't legislate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Okay. That's what -- and I wish -- that would have been a good point to put on their whether it was 50 percent which would be great. I know that doesn't typically happen when you hire a fundraising firm for you. And just a final question. This in no way -- I know there's a lot of groups. I know there's a great fundraiser tomorrow, by the way, and want to make sure that there no way have concerns that, you know, if this legislation goes through if they're sending stuff overseas the collection similar to this really doesn't speak to those. Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker.

No, hopefully, all of our organizations will be

working hard to support our vets.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you, Madam Speaker and thank you to the proponent for supporting this piece of legislation, and I do support it.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you remark further? Will you remark further On the amendment before us?

Representative Carter of the 2nd.

REP. CARTER (2nd):

Thank you very much, madam chairman -- excuse me, Madam Speaker. A few questions through you to the illustrious chairman of the Veterans' Committee.

DEPUTY SPEAKER O'ROURKE:

Please proceed.

REP. CARTER (2nd):

Thank you, Madam Speaker.

Through you, Madam Speaker, I was looking at the bill and one of the things I was curious about is if on the website you will have access that if somebody is to fraud by somebody claiming to be a veteran, if there's

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information to contact either the commissioner of Veterans' Affairs or Consumer Protection on this website, a list of veterans?

Through you, Mr. Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker.

There isn't, but that's a great suggestion and we should have her do that. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

And I appreciate the comments. Also, through you, Madam Speaker, does this amendment, which will become the bill, preclude the VA or the commissioner from doing business with any other charity that's not listed on the website?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Madam Speaker.

No.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

And I thank the good gentleman for his answers. You know, as I look through this amendment, I actually had some -- I have some real problems with it. Let me explain: The original bill that this amendment will modify, I thought was much stronger. It was much stronger that gave the commissioner of Veterans' Affairs a lot more leeway in determining what are good veterans organizations and bad.

Looking at this amendment the way it's stated now, it basically says, all you have to do is last a certain amount of time. As long as you're on the roll for three years, you could make the website.

Through you, Madam Speaker, to the proponent of the amendment, do I have that correct? All it takes is somebody being a -- excuse me, a nonprofit 501(c)(3) for three years and they get on the website? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hennessy.

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REP. HENNESSY (127th):

Through you, Madam Speaker.

The 501(c)(3) and in existence for three years, we really wanted to make more criteria, but this is like the standard that we could legislate, mentioned that the commissioner is able to come up with other standards. And as far as your being upset about this, I'm upset that we have to do this. I'm upset that we have to be raising money for homeless veterans. It's a shame. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Madam Speaker.

And I got to say I'm with you on this hundred percent. It's a shame that in this day and age that we would have to consider something like this, but unfortunately, we do. We're going the right direction. What I'm saying is we have a little bit -- we have a little farther to go. The way I read this, through you, Madam Speaker, to the proponent of the amendment, there's no ability for the commissioner of Veterans' Affairs to weigh in and say, yes, that organization has been there for three years, but it's a bad organization. Through you, madam -- Mr. Speaker.

(Deputy Speaker Aresimowicz in the Chair.)

DEPUTY SPEAKER ARESIMOWICZ:

It's okay, sir. We've moved quick on you.

Representative Hennessy.

REP. HENNESSY (127th):

Mr. Speaker, this bill does not speak to that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

And as I stated here, we've got a long way to go. I think this is a good start. We're looking at the right direction, but again, I understand that one of the major problems with these veterans groups, I've been told that they'll come up, they'll pop up for a year, they'll be doing business and then they will change names and that was one of the reasons I understand that we wanted the three-year period of time. Is that correct? Through you, madam -- Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hennessy.

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REP. HENNESSY (127th):

Through you, Mr. Speaker.

Yes. That's exactly the reason. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

You know, I was originally a little concerned about the three-year time period. Because you know what? Wars are fought in three years. If we look back to Desert Storm, a whole bunch of organizations popped up that were really, really great organizations, and even since then, in Iraq and Afghanistan. The best example would be the wounded warrior projects. You know, obviously wounded warrior projects probably wouldn't have made this website if we had to wait three years. So I'm concerned that there's no real way that we could get a subjective criteria in here as well for the Commission of Veterans' Affairs.

So as we move forward in years coming I hope that we can relook at this legislation again, and try to find a way that the Commissioner of Veterans' Affairs and the Commissioner of Consumer Protection have more leeway in getting involved in this. Because we have a big loophole

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here. Look, you can get on the website, but there's nothing out there to say you're a bad organization or that you shouldn't be on the website and that's a real concern to me.

But I've got to tell you, I want to thank the veterans -- the Select Committee on Veterans' Affairs for taking this on and for the good chairman for his answers to the questions.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir. Will you remark further on the amendment before us? Will you remark further on the amendment before us? If not, will try your minds. All those in favor please signify by saying.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed, nay.

The ayes have it. The amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, staff and guests to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call.

Members to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your vote has been properly cast. If all the members have voted --

If all members have voted the machine will be locked. The Clerk, please take a tally.

THE CLERK:

House Bill 5298. It as amended by House "A."

Total number voting	147
Necessary for adoption	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

SPEAKER DONOVAN:

The bill as amended is passed.

As the session moves on, again, we're going to recognize some of our colleagues who will not be coming

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SENATE**

**PROCEEDINGS  
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Some additional items to place on the consent calendar. Madam President, calendar page 17, Calendar 477, House Bill 5421, Madam President, would move to place that item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, calendar page 24, Calendar 518, House Bill 5298, move to place that item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And Madam President, also calendar page 24, Calendar 523, House Bill 5504, move to place this item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

If we might stand at ease for just a moment to verify an additional item.

THE CHAIR:

We will stand at ease.

(Chamber at ease.)

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On page 3, Calendar 240, House Bill 3283; page 3, Calendar 299, House Bill 5437; page 5, Calendar 349, Senate Bill 374; page 6, Calendar 375, House Bill 5440; page 6, 362, House Bill 5011.

On page 7, Calendar 376, House Bill 5279; on page 7, 387, House Bill 5290; on page 8, 394, House Bill 5032; on page 8, 396, House Bill 5230.

Also on page 8, Calendar 398, House Bill 5241; on page 8, Calendar 393, House Bill 5307; on page 9, Calendar 403, House Bill 5087; on page 9, Calendar 406, House Bill 5276; on page 9, 407, House Bill 5484; on page 11, Calendar 424, House Bill 5495; on page 12, Calendar 435, House Bill 5232; on page 13, Calendar 5 -- excuse me Calendar 450, House Bill 5447; on page 14, Calendar 455, House Bill 3 -- I'm sorry -- House Bill 5353.

On page 14, Calendar 453, House Bill 5543; on page 14, Calendar 459, House Bill 5271; on page 15, Calendar 464, House Bill 5344; on page 15, Calendar 465, House Bill 5034; on page 16, Calendar 469, House Bill 5038; on page 17, Calendar 475, House Bill 5550; on page 17, Calendar 474, House Bill 5233; on page 17, Calendar 477, House Bill 5421.

Page 18, 480, House Bill 5258; on page 18, Calendar 479, House Bill 5500; page 18, Calendar 482, House Bill 5106; on page 18, Calendar 483, House Bill 5355; on page 19, Calendar 489, House Bill 5248; on page 19, Calendar 488, House Bill 5321; on page 20, Calendar 496, House Bill 5412.

On page 21, Calendar 504, House Bill 5319; page 21, Calendar 505, House Bill 5328; on page 22, Calendar 508, House Bill 5365; on page 22, Calendar 510, House Bill 5170; on page 23, Calendar 514, House Bill 5540; on page 23, Calendar 517, House Bill 5521.

Page 24, Calendar 521, House Bill 5343; page 24, Calendar 518, House Bill 5298; page 24, Calendar 523, House Bill 5504; page 29, Calendar 355, Senate Bill 418; on page 13, Calendar 444, 5037; and Calendar 507, House Bill 5467.

THE CHAIR:

Senator -- Senator Suzio.

SENATOR SUZIO:



## State of Connecticut

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Bills placed on the Consent Calendar on May 9, 2012

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Bills from Senate Agenda Number 3 from the May 9th Senate Session that were placed on the Consent Calendar

HB5304  
HB 5342

rgd/tmj/gdm/gbr  
SENATE

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Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

rgd/tmj/gdm/gbr  
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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant 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:

The consent calendar has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

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Good afternoon, Commissioner.

COMMISSIONER LINDA SPOONSTER SCHWARTZ: Sorry. I was getting a feedback though. I am here to say that the Department is in full support of the Act Concerning Pre-Trial Diversionary Programs. Not -- I'm a nurse, not necessarily a lawyer, so I rely on the fact that I know that several individuals from the Yale Veteran's Law Project spent some time crafting this. So I know that it has been amended.

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HB 5297

Let me just say that over -- for over 15 years, the Connecticut Department of Veteran's Home at Rocky Hill has -- has provided a residential substance abuse recovery program. And while we are the only state in the nation to provide this specialty care, we do have a professional staff. And it provides not only the residential care and support of services for up to two years, it has also been selected by some of the members of the bench, the judges, as an alternative to incarceration for veterans because we have a residential program.

We receive a per diem, a VA per diem payment for each veteran in our program, about \$40 a day. Which off-sets the cost of care and the professional staff for the program. In the past, I know that your staff and many of you have -- have helped me walk the halls, trying to convince the Legislature that this would not be anything that would not -- that would cause an enormous amount of money.

I believe that by making the best use of the available resources, and by partnerships with other agencies that this can be something that is both cost saving and the fact that the veterans will not be going to prison. Someone

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noticed, the drinking and driving. Driving at high speeds. Some of this is transient and can really be associated with their service in the military.

So, I guess of all the things that we have before you today, I would ask that you look for a way. Because 22 other states and cities have veteran's courts. And I know that the State of Connecticut has the resources. I know it has the need. And I hope it has the where with all to actually begin to address this issue in a compassionate way.

I would also like to just briefly address the House Bill 5298 on establishing a list of prepared veteran's charitable organizations. As I said in my testimony, this is nothing new to me because we have been keeping records on these various charities who present themselves as being on -- in the business of helping veterans.

I, myself, have encountered them at the Stop & Shop. And I would just like to share a little situation that occurred at the Stop and Shop. You may know that in the Groton New London area we have a lot of military and veteran families. So I was coming out of the Stop & Shop at -- in Groton. And I -- I saw a kid dressed partially in fatigues and sneakers and holding a can that says help our veterans.

So being the Commissioner of Veteran's Affairs and also very curious, I asked him, so what do you do for veterans? And they said, well we help the veterans at Rocky Hill. I said really. Who -- who do you work with up there? We deal with directly with the Commissioner. We only deal with him. I said can I see your permit? Can I -- and this is not a well known

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fact that I do carry a badge. So, I pulled out the badge. And said I am the Commissioner.

They were actually from Rhode Island. They were not registered in our state. And you may not think that standing in front of Stop & Shop is a very lucrative charity. But some of my friends in the veteran's service organizations say you can collect up to \$6,000 a day in small change from people.

These people do not have a name. They just stood there. I went to the Attorney General, let me just share this, I went with several of our leaders of veteran's service organizations, the Legions, the V.F.W. And I think the purple heart. We had a meeting with the Attorney General in which we laid this out. Because there are also charities which are so transient, you can't even track what they are doing.

And I have to give the Attorney General a lot of credit. Because he listened to us. They looked up the laws and they told us first and foremost the State of Connecticut does not have a standard for charitable organizations. So if the individuals are collecting 100 percent, and they're spending 100 percent on themselves. There's no law that he could enforce. He also said that -- and we found that many of the organizations which are a little bit more formalized, they have to file a tax return after the first year of being in business.

And that's the way you can actually track them. However, some of them at the end of the year, change the name of their organization slightly. So they apply again for a new

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organizational -- for a new permit from our authorization to exist. They don't file a tax return for the first year. And that's what they've done. And that's one of the things that they do.

I have -- what this -- what the Attorney General suggested was that we write -- we -- the Consumer Protection, myself and the Attorney General did send out a press release and a letter to all retailers where these kinds of opportunities would occur, actually collecting money in front of the store.

With it came a listing of things that the retailer should be looking at to be sure that these are actual credentialed and legitimate charities. That was all he could tell us that we could do. And while I support 110 percent the intent of this legislation, I can really tell you the truth. I never -- I do not have the resources, the expertise or actually the personnel to implement the -- the spirit in the intent of this law.

I wish I did. Because there's nothing that is more frustrating and angry than people making a living off of the uniforms of our men and women who serve this nation. I would be glad. But I do believe what he told me, that there is no standard for charitable organizations in the State of Connecticut. And there is nothing to enforce that he was -- that he did due diligence in that.

I would like to say that I do establish -- I do support -- we do support wholeheartedly Senate Bill 5297 to Establish a Task Force to Study the Substitution of State -- State Licensing Requirements with Military Occupational Specialty Training for Veterans.

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I appreciate your -- your testimony, your input. And before I open it up to some questions. I just wanted to thank you on your -- on behalf of all of us for your hard work. And your -- and your great support of everything that we're trying to do for our veterans. You've always been a star supporter.

And of the three bills that you -- you mentioned, all three are actually very large concepts with a lot of work to be done. And we realize that there is more to be done whether, it's in resources and funding and so forth. But nonetheless important to undertake. And -- and those are the reasons why we brought them up as concepts. Because as you articulated, especially for in regards to the charitable organizations, the need is there for us to address it.

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How we address it and how we get there, we may or may not be able to do it in one session. But we do need to start the discussions so that we can -- as we come across each and every hurdle that may prevent this from moving forward. We figure out how to overcome them. So that we can actually get to where we need to be because I believe just for that example alone, it's -- it's something that needs to be addressed whether we've never done it in the past or don't know how to do from where we are today.

It doesn't mean we shouldn't undertake them. And -- and that's what we're trying to achieve here.

So, with that -- Representative Guerrero.

REP. GUERRERA: Thank you, Mr. Chairman.

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Good afternoon, Commissioner.

COMMISSIONER LINDA SPOONSTER SCHWARTZ: Good  
afternoon.

REP. GUERRERA: Commissioner, I'm going to talk  
about a few of the comments that you made here  
this afternoon. But first of all, let me just  
say that being Representative from Rocky Hill  
and to the members of this committee, I want  
to thank you for a tremendous job that you do  
at the Veteran's Home. Although you come here  
and you talk the talk and you walk the walk,  
let me tell you folks.

There have been many a times that she has  
spotted homeless veterans on the street. And  
although sometimes she doesn't have the room  
at the veterans home, she makes sure that  
individual goes somewhere to have a hot meal  
and a warm place to sleep. And in my book,  
that's number one.

COMMISSIONER LINDA SPOONSTER SCHWARTZ: Thank you  
very much.

REP. GUERRERA: The other comments I want to make,  
Commissioner, I talked to the chairmans -- in  
fact Senator Leone who is now the good  
Senator, used to be the Representative. When  
he used to work for a living, he used to a  
representative. Now he moved up to the Senate  
now. So, but we talked about maybe having a  
so-called field trip out to the Rocky Hill  
Veterans Home.

Because there are a lot of new members here.  
And I -- I think it would be to our benefit to  
see what is going on there and the great work  
that you and your staff do there for our

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veterans.

COMMISSIONER LINDA SPOONSTER SCHWARTZ: I would welcome the opportunity. And I know the veterans would be very happy to see you all.

REP. GUERRERA: Absolutely.

Commissioner, a couple of things though going back. Let's -- first of all, the issue with the charities. I have run into many problems as you know, in Rocky Hill at the Super Stop and Shop at the Kohl's Shopping Center --

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COMMISSIONER LINDA SPOONSTER SCHWARTZ: Right.

REP. GUERRERA: -- and so forth. And some of the issues that are -- when I pull them over is obviously this is private property. What are you doing here. Has no jurisdiction in regards to state or local. So, I went to my local town council and said that maybe we should put something in place in regards to this. Because a lot of times, I'm finding is that even though the shop owners may want to do something. But they don't own the property. You know what I mean.

It's usually some type of company out of whatever, Switzerland or you know conglomerate that owns these real estate parcels. So, that's something that we're trying to work with in regards to helping these so-called scammers out there not doing the right thing.

Second, is the -- the pre-trials. You know, more and more veterans are coming home as we know them, men and women. And a lot of them are going through post traumatic stress. And you know, it's unfortunate like you even said the amount of people that go -- that will have

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point across in other manners that would not desecrate the service that our veterans have given to this country and to individuals to give us that right to free speech. And to find out that this happens on a weekend such as Memorial Day, I just don't think that's the proper speech and that this is the type of bill that we need to discourage those individuals from engaging in that.

I'm available for further questions. But I do support this -- this bill.

SENATOR LEONE: Thank you, Senator.

Your remarks are pretty much on the mark. And it's unfortunate that it was even occurred on a veteran's holiday. I mean that's salt in the wounds for all better. And so, we thank you for your support and we can't wait for this bill to pass.

Thank you.

SENATOR KELLY: Thank you.

SENATOR LEONE: Any questions?

Thank you.

Next on the list is Carmelo Figueroa followed by Sofia Nelson on deck.

CARMELO FIGUEROA: Good afternoon, Senators and chair members. Thank you for your time and consideration today. I'd like to speak on behalf of Senate Bill 114, 198 and House Bill 5298. I just want to make a couple of comments just very brief on Senate Bill 198 and House Bill 5298 then I'll go back to Senate Bill 114.

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That's pretty much self explanatory, okay. Bottom line is it shouldn't happen. You know, I work as a Judicial Marshal, we have a 24 hour lock up facility I'd be more than happy to accommodate those individuals that desecrate our war monuments and our cemeteries period. That's the bottom line. Okay.

I also volunteer during the Memorial Day holiday in place with the Boy Scouts, 5500 flags at our North Cemetery here in Hartford too. So, that's very meaningful to me. Very near and very dear. And I find it very offensive that individuals in this state or in anywhere in this nation do something like that. So, please take that into consideration.

Individuals, on House Bill 5298, individuals that take advantage of contributions in the name of veterans, that's also very disgusting and very offensive. I find that very, very, very offensive. You know, and I know that's probably going to be a very long hard fought battle as I heard the Commissioner earlier mention that she had the experience at Stop & Shop.

I personally observed it at Wal-Mart on Flatbush Avenue not too long ago. And then one of the Veterans as well called me. Some organization called Vets For Life called me personally. And I said, look this is going to be looked into. And no sooner than it was mentioned to me, it was brought up at one of our veteran organization meetings. So whatever we can do to address this issue, let's address it in any legal form that we can. Please.

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And I support this 100 percent. And if I haven't introduced myself as you see, I typed up a memo. I am First Sergeant Carmelo Figueroa. As you can see, my history there. I have been serving in the military for 30 years. Self explanatory includes three tours, three combat tours and I also served in the Cold War in Europe.

Outside of what I do, I serve for the Board of Directors and I'm not here representing or speaking for any organization. I'm not speaking for the Connecticut Veteran's Military Coalition or the Hispanic American Veteran's Organization, or the Task Force for OEF OIF. Although I sit on those -- I work with those organizations. I'm not speaking for them. I'm truly here on behalf of all veterans. Okay. And I support all -- any -- anything and everything that has to do for the betterment of veterans and their quality of life. That's what I support.

Okay. I want that known for the record. Okay. Having been a judicial marshal, I want to speak on Senate Bill 114 real quick on a pre-trial diversionary programs. I see that the Commissioner did some good homework. Because I was trying to get some data on how many prisoners we currently have within the Department of Corrections. And she stated earlier that we have 600 prisoners. And that's that.

That's that to me. You know, I work as a judicial marshal when I'm outside of working with these organizations. When I'm in the court system, I have physically put veterans in front of the judge. And it's -- and it's very heart wrenching and heart breaking to me when some of the public defenders come up to

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facing.

So, not only are veterans not using those services. But those services match what supervised diversion and accelerated rehabilitation may mandate.

REP. HENNESSY: Okay. Thank you. Thank you very much for your testimony.

SENATOR LEONE: Next on the list is Gary Waterhouse.

GARY WATERHOUSE: Good afternoon, Chairman SB 115 SB 198  
Hennessy, distinguished members of the HB 5298  
Committee of Veteran's Affairs. My name is Gary Waterhouse. And I'm a proud Vietnam veteran. I had the honor of serving in H Company Rangers, 75th Infantry assigned to the First Cavalry Division. And I'm pleased to offer testimony today in supporting legislation that in my opinion is good for veterans.

I also have the distinct pleasure in serving as a Veteran Service Officer at the VA in Newington. So my job is to deal with veterans issues day in and day out. I'm here today to support Senate Bill 114, An Act Concerning Pre-Trial Diversionary Programs. I was a police officer in Connecticut for 25 years. And I have come to believe that many people do things under the influence of post traumatic stress syndrome that they would not normally do.

In Connecticut, we currently have a pilot program called the Veterans Justice Outreach Program. It is a federal jail diversion program designed to write outreach services to eligible veterans. Veterans who are involved

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this bill. And the protection it would offer to the structures erected in our communities to commemorate our military history. War monuments are a vital part of this country's heritage. Veterans see service memorials as a visualization that the community validates the veterans commitment to duty, honor and country.

Further, I'd like to support House Bill 5298, An Act Establishing a List of Preferred Veterans Charitable Organizations. Stated simply, the veteran's community is embarrassed by the scam artists and hustlers misleading generous people into giving their hard earned money to veteran causes that are diverted into the scammers pockets.

The First Amendment notwithstanding, the public should be protected from the scam artists and honest veterans causes identified and recognized as truly veterans service organizations. We've been embarrassed for many years by the behavior of some of these groups. I know it's difficult to regulate charities. But there may be a way to validate some of the veterans service organizations.

So, that concludes my testimony. Thank you very much for the opportunity to be here today.

REP. HENNESSY: Thank you, Gary.

Any questions or comments?

Thank you.

GARY WATERHOUSE: Thank you.

REP. HENNESSY: Are there any elected officials

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that I don't see?

Matthew Vallemy. Civil Air Base, I think they  
already spoke. Okay. John Hollis.

JOHN HOLLIS: Good afternoon, Mr. Chairman, members  
of the Select Committee on Veterans' Issues.  
My name is John Hollis. I'm the Senior Vice  
Commander for the Department of Connecticut,  
come June I'll be State Commander. I also  
serve as the National Legislative Committee  
member representing Connecticut in Washington  
on veterans' issues.

I'm going to touch base on a couple of bills.  
But following me is the State Chairman, Robert  
Hunter, whose doing a tremendous job  
representing veterans of the V.F.W. and all  
other veterans. And I -- I'm sure he'll be  
touching on many more than I will. And I want  
to thank you for serving.

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And -- those of you that didn't actually serve  
in the military, thank you because you are  
serving veterans. And that's what this is all  
about. And I want to thank you. And Paul, I  
want to send a thank you to you for your  
communication with us. I'm honored to be here  
with my -- my fellow veterans, members of the  
American Legion, D.A.V. and all other veterans  
groups that are here today.

I -- House Bill 5298, I cannot even begin to  
touch it how adequate previous speakers said.  
But I -- I just want to make it very clear.  
It's a very strong issue with the Department  
of Connecticut V.F.W. We hear a tremendous  
amount of phone calls coming in of people, you  
know, in South Windsor, we've heard at the  
Stop & Shops all over the State of  
Connecticut. Avon. I've had veterans from

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Avon call me. I just can tell you we've received numerous calls from those scam artists.

And you know, we approach them. And often times we're going to see the manager of the store. And he'll chase them out. But I think we need to do something. I don't know if we can do it within a primitive of our Right of Free Speech. But I think we need to try to figure something out. How we can prevent this group from taking money that is -- goes to -- should be going to deserving veterans.

One of the other things I wanted to mention was the Senate Bill 114. I've been to the stand on -- I don't know if anybody's been to the stand. I know behind me they have in Rocky Hill. And we have caught -- come in, you know, judge, jury and everybody, prosecutors and public defenders. And -- and I've first hand seen how so many of those cases have been resolved. It's been a source of anxiety for a veteran for so long and get resolve in it.

And if anything we can do to enhance through our courts and to treat these -- you know what, they are different. You know, only 1 percent of our nation at any given time is putting their body between a bullet and this country. So, you know, somebody says in previous testimony well maybe we'll remove the word veteran. You think you'll want to add it. Because that's, you know, that's what we did in my time.

I hate to give my age away. But, I'm before Vietnam. I was the infamous Bay of Pigs and I was also the blockade of Cuba. I was in both of those on the Essex, U.S.S. Excevious 9. I

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you that we'll be happy to be working with you regarding PTSD. I read about the Bay of Pigs. I'm -- right -- sorry we'll get him later. We'll get him later.

JOHN HOLLIS: That was a time in history. I'm proud to announce that in the Bay of Pigs and that time. But I can tell you folks in this room, you know, it was a truly an all Mexican standoff. And then you read in history the significance of that. Everybody's thumb are on those buttons. You know, I didn't realize it at the time. I probably would have jumped off the Essex. But it was -- it was significant time in history.

But all of these veterans have had that history, that 1 percent that served this great nation. And provided that service to put their -- their chest between a bullet and this country. So, God bless you for what you do. And let's all of us continue to work together.

REP. HENNESSY: Thank you.

Any comments?

Thank you, John.

JOHN HOLLIS: Thank you.

REP. HENNESSY: Next we have, Bob Hunter.

BOB HUNTER: Thank you, Chairman Hennessy.

I by comparison and the young kid on the block -- just a what my venerable colleague to give him some frame of reference. I was less than a year old when the Bay of Pigs occurred. Actually I take it back, the blockade. The blockade. I don't want to make him appear

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House Bill 5298, of course the V.F.W. heartily supports this bill. It's been a great source of frustration for not only our organization, but for all veterans advocacy groups who do honorable work on behalf of and for their brethren. Not only does such groups yield funds when honorable groups would do the same. They create and foster an err of distrust amongst citizens in the communities where they operate.

Organizations which seek to deceive our state's citizens by preying on their veteran friendly charitable nature are an obscenity that should not go unattended. I -- below on the -- my testimony, I've put a link if you'd like to be able to take a look a news story in my fox in New York regarding one of these organizations.

And that's my testimony. Thank you very much for the opportunity.

REP. HENNESSY: Thank you. Thank you, Bob.

Is there any comments or questions from the committee?

Senator.

SENATOR WELCH: Just one question, Bob. On your written testimony, you -- you have An Act Establishing the Commendation Medal. And I didn't see anything after that. Is there anything you want to say?

BOB HUNTER: I know. I did try to scratch it out. And it was -- it was -- it was mistakenly left in.

VETERANS OF FOREIGN WARS OF THE UNITED STATES  
DEPARTMENT OF CONNECTICUT



STATE LEGISLATIVE OFFICE

STATEMENT OF

ROBERT A. HUNTER  
STATE LEGISLATIVE CHAIRMAN  
VETERANS OF FOREIGN WARS OF THE UNITED STATES

BEFORE THE  
SELECT COMMITTEE ON VETERANS' AFFAIRS  
THE STATE OF CONNECTICUT

WITH RESPECT TO PENDING VETERAN-RELATED LEGISLATION  
TUESDAY, FEBRUARY 28, 2012  
HARTFORD, CT

SB 198 SB 250  
SB 251 HB 5296  
HB 5297 HB 5298

Senate Chairman Leone, House Chairman Hennessey, and members of the Select Committee on Veterans Affairs:

On behalf of the roughly 20,000 men and women of the Veterans of Foreign Wars of the U.S. (VFW) and our Auxiliaries I would like to thank you for the opportunity to testify before you today. Our members greatly appreciate the voice you give them at these hearings that are critical to their well-being as veterans and citizens of the great State of Connecticut.

1. S.B. No. 113 (RAISED) AN ACT CONCERNING SERVICE MEMBERS CIVIL RELIEF ACT PROCEEDINGS.

The VFW supports this bill. We believe providing the opportunity for testimony through some electronic means while deployed, and not able to be physically present during court proceedings, affords that service member a reasonable means of meeting his or her civil obligation(s)

2. S.B. No. 114 (RAISED) AN ACT CONCERNING PRETRIAL DIVISIONARY PROGRAMS.

The VFW supports this bill. With the consideration that our state has seen more than 16,500 residents deployed to combat since 2001, and roughly 25% of them can be expected to suffer from Post-Traumatic Stress (PTS); an opportunity to help these

The VFW supports this bill, the passage of which will ultimately afford those who practiced an MOS or rating in military service a direct route to securing a comparable civilian license.

The VFW believes the task force, if constituted, will find military training and execution exceeds the requirements of their civilian counterparts, and oftentimes in more severe situations. For example, it makes sense that a service member who operates heavy equipment as a routine part of their MOS should be able to secure a CDL with little effort and no re-schooling. A helmsman who has piloted an aircraft carrier or destroyer should have little difficulty in securing a commercial boating license.

Moreover, creating an expedient path to licensure for returning veterans will directly address the disparity in the veterans' unemployment rate of 11.7% and the overall rate of 9.1%.

**8. H.B. No 5298 (RAISED) AN ACT ESTABLISHING A LIST OF PREFERRED VETERANS' CHARITABLE ORGANIZATIONS.**

The VFW heartily supports this bill, as it has been a great source of frustration for not only our organization, but for all veterans advocacy groups who do honorable work on behalf of and for their brethren. Not only do such groups yield funds when honorable groups would do the same, they create and foster an air of distrust among the citizens in the communities where they operate. Organizations which seek to deceive our state's citizens by preying on their veteran-friendly charitable nature are an obscenity that should not go unattended.

Below is a link to a NY Fox news story that exposed one of these groups::  
<http://www.myfoxny.com/dpp/news/shame/veterans-support-organization-20110203>

~~9. H.B. No. 5300~~ (RAISED) AN ACT ESTABLISHING A COMMENDATION MEDAL, AN ACHIEVEMENT MEDAL AND THE ORDER OF PRECEDENCE FOR STATE MILITARY DECORATIONS AND AWARDS.

To the select committee on Veterans affairs: My name is SFC. Carmelo Figueroa, and I am here today to speak on behalf of mainly 3 issue's. However for the record I do support any and all matters pertaining to the Continued growth and betterment of the quality of life for all veterans. I am A 30 yr Army Veteran (3 combat tours Desert Storm-Iraq and Afghanistan) I sit on the Board of the Directors for the CT. Veterans Military Coalition as well as the Board for the Hispanic American Veterans and the OEF-OIF Task force team. So as you can see I take these matters very seriously. When I am not in any of the above capacities I work my normal job as a Judicial Marshal,(at G.A.-14 Hartford), in recent years mostly in Criminal Court- Which exposed and allowed me to see 1<sup>st</sup> hand the different elements and caliber of citizens that Have been presented before our Judicial system. One being our troops both pass and present- as of late, mostly from these recent conflicts-oef/oif and any other part of the world.

I can remember a young service member(prefer not to mention the component) that I personally new and was very shocked and surprised to see him facing the judge for some serious criminal charges. This kid fought in the battle of fallugah back in 2004-he had no one to fight for him in front of that judge because there were no programs in place for him-not to mention he was taken advantage of by a private attorney. This is one example of why We need programs like the pre-trial diversionary program, so please support it.

1<sup>st</sup> SB NO. 114(Raised) An act concerning pre-trial diversionary program.

SB 198- desecration of war memorials

HB 5298- a list of preferred veterans charitable organizations

Gary E Waterhouse  
Vietnam War Veteran  
Tuesday, February 28, 2012  
Select Committee on Veterans Affairs Public Hearing

**SUPPORT- *S.B. No. 115 (RAISED) AN ACT CONCERNING THE MILITARY SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.***

I cannot conceive of a reasonable legal theory that would oppose providing confidentiality for disclosures made by military personnel who are victims of sexual assault to military sexual assault advocates. The recent trend of protecting the confidential communications between sexual assault counselors and sexual assault victims is a step forward in promoting victim recovery and expanding the scope of a rape victim's rights. Similar to the more well-known evidentiary privileges between psychotherapists and patients, husbands and wives, and clergy members and penitents, a majority of state legislatures has, in recent years, enacted legislation privileging the communication between rape crisis counselors and sexual assault victims transmitted during the course of the counseling relationship. Keeping such information confidential allows for the development of a trustful and healing relationship between a sexual assault victim and her counselor and cultivates the type of connection necessary for recovery to occur. While many state legislatures have recognized the need to foster the victim counseling relationship by enacting privilege statutes, the scope of the privilege varies widely between states.

**SUPPORT- *S.B. No. 198 (RAISED) AN ACT CONCERNING DESECRATION OF WAR OR VETERANS' MEMORIALS.***

I strongly support this bill and the protection it will offer to the structures erected in our communities to commemorate our military history. War Monuments are a vital part of this country's heritage. Veterans see military service memorials as visualizations that the community validates veteran's commitment to Duty, Honor and Country. Carved on them are the names of men and women who were killed beside you. "They died for their country, and now even their names are being destroyed by thieves, just grabbing them to make some money from scrap metal.

**SUPPORT- *H.B. No. 5298 (RAISED) AN ACT ESTABLISHING A LIST OF PREFERRED VETERANS' CHARITABLE ORGANIZATIONS.***

Stated simply the veterans' community is embarrassed by the scam artists and hucksters misleading generous people into giving their hard earned money to veteran causes that is diverted into the scammer pockets. The First Amendment notwithstanding, the public should be protected from scam artists and honest veterans causes identified as recognized as established Veteran service organizations.



**STATE OF CONNECTICUT**  
**DEPARTMENT OF VETERANS' AFFAIRS**  
 OFFICE OF THE COMMISSIONER  
 287 West Street  
 Rocky Hill, Connecticut 06067

HB 5298 HB 5297

**TESTIMONY**  
**Connecticut General Assembly**  
**Select Committee on Veterans' Affairs**  
 by  
**COMMISSIONER LINDA S. SCHWARTZ, RN. MSN, DRPH, FAAN**  
**Connecticut Department of Veterans' Affairs**  
**February 28, 2012**

**RB 114 AN ACT CONCERNING PRETRIAL DIVERSIONARY PROGRAMS**

Senator Leone, Representative Hennessy, Members and distinguished members of the Select Committee on Veterans' Affairs, I am pleased to offer this written testimony on Raised Bill 114 "AN ACT CONCERNING PRETRIAL DIVERSIONARY PROGRAMS" which would authorize the development of treatment plans, conditions or programs in certain pretrial diversionary programs that are specifically for veterans. The Connecticut Department of Veterans Affairs has worked with members and staff of this Committee and members of the General Assembly to affect the changes in our Judiciary System proposed in this legislation to authorize eligible veterans of military service with treatment and care as alternatives to incarceration.

We first became aware of this problem in November of 2007 when we learned that over 40 veterans of Iraq and Afghanistan had legal problems which had come to the attention of Connecticut's Legal and Court systems. The number seemed to steadily increase over the holidays and into early 2008 and in each successive year. Returning military members have had problems with substance abuse, driving under the influence, excessive speeding and other thrill seeking behaviors, domestic violence, suicidal behavior and aggressive confrontations which often include weapons. As the wars in Iraq and Afghanistan have progressed, there is a growing body of evidence that substantiates the association of these behaviors with conditions experienced and endured by our service personnel serving in combat areas.

America's defense posture has come to rely heavily on the men and women of our Guard and Reserve Forces, true "citizen soldiers" who must make the adjustments of living on the edge of danger and the destruction of war for months on end to coming home and "readjusting" to life in Connecticut. We know that this is both challenging and stressful without the security and structure of life on Department of Defense installations and the vast array of

For over 15 years, the Connecticut Veterans Home at Rocky Hill has provided a residential substance abuse recovery support program. We are the only State in the Nation to provide this specialty care to veterans at a State Home. Our program provides residential care and support services for up to 2 years and has been selected by some judges as an alternative to incarceration for veterans. We receive a VA per diem payment for each veteran in our Residential Program which offsets the cost of care and professional staff for this program. We work with the Court to assure that veterans referred from the judicial system meet any special requirements such as completion of Driver Training, Community Service or specific mental health referrals. Our staff has had experience with both the parole and probation systems. We believe that this program is a valuable asset and resource which is key in any plans for alternatives to incarceration for veterans in Connecticut.

We have learned a great deal from the mistakes of the past. Vietnam veterans who did not receive the benefit of a program like this have faced decades of struggles and legal problems. Our own Department of Corrections has reported between 600 to 700 inmates are veterans. We now know that early interventions and therapeutic treatment and rehabilitation give returning veterans a better chance and a better quality of life and the chance to reach their highest level of function and productivity. By enacting this legislation, Connecticut will join 22 other states in providing a pragmatic and cost effective program that will offer the men and women who have served this country the opportunity they deserve without compromising the safety of the citizens we serve.

**HB 5298 AN Act Establishing a List of Preferred Veterans' Charitable Organizations.**, the details described in this legislation pose practical problems with regard to available resources and the expertise of present staff to implement the bill seeks to direct the Department of Veterans' Affairs to post informational items for veterans on our webpage and work with Consumer Protection and the Attorney General to publish a list of preferred veterans' charitable organizations. The list shall include nonprofit corporations incorporated pursuant to chapter 602 or any predecessor statutes thereto and charitable organizations, as defined in section 21a-190a. In compiling the list, said commissioners shall consider the following, including, but not limited to: (1) Charity accountability standards; (2) the ratio of charitable activity expenditures to fundraising and administrative expenditures; and (3) violations of chapter 419d and regulations established pursuant to said chapter. The list shall be published on the informational web page established in this section.

While the Department is very aware of the many attempts by individuals and organizations to present themselves as being legitimate charities that help

veterans that there are many organizations which present themselves as being "veteran charities" there are some real concerns that must be considered.

Last year, the concerns of legitimate charities suffering because out of state or bogus charities are preying on the public support of our military and veteran communities here in Connecticut, prompted a meeting with the Attorney General and his staff. At that time, we learned that CT does not have a charitable standard by which organizations can be rated or judged. In our attempts to obtain financial reports and documents, we were further frustrated to learn that many bogus charities do not file tax reports and evade the IRS and State Laws by registering each year under another name maybe slightly changing a word in the organizational title. Also several of the organizations which seemed to be the worst offenders, station themselves in front of Stop and Shop and other stores dressed in garb which suggests they are veterans collecting loose change. I know it is hard to believe but some legitimate veteran organizations have reported collecting as much as \$6,000 a day using this venue and approach. I myself have encountered this scam and when I asked for documents or proof that they did indeed help veterans, I was told much to my surprise that they help the vets at Rocky Hill. When I asked who they dealt with at Rocky Hill, I was told that they only deal with the Commissioner and he would vouch for them. Situations as blatant as this occur all around the State with no paper trail, jilted contributors and legitimate veteran service organizations are left to compete for financial support under these circumstances.

At the suggestion of the Attorney General and in concert with the Commissioner of Consumer Protection, we issued a joint letter to all retailers who might be approached by individuals wanting to solicit donations to "help the vets" and which credentials should be checked before allowing them to set up shop to collect money in the area of their stores. While I am most outraged about the soliciting of funds by bogus organizations and individuals, I have learned that there is little more that can be done because in the AG's opinion, Connecticut does not have standards or laws by which these "charities" can be judged or held accountable by the law.

On another note I will say forthrightly at this time the Connecticut Department of Veteran Affairs does not have the personnel, resources or expertise to fully implement the spirit and intent of this legislation.

**SB 5297 'AN ACT ESTABLISHING A TASK FORCE TO STUDY THE  
SUBSTITUTION OF STATE LICENSING REQUIREMENTS WITH MILITARY  
OCCUPATIONAL SPECIALTY TRAINING FOR VETERANS.**



GEORGE JEPSEN  
ATTORNEY GENERAL



WILLIAM M. RUBENSTEIN  
COMMISSIONER



DR. LINDA S. SCHWARTZ  
COMMISSIONER

RETAILERS URGED TO CHECK CHARITY REGISTRATIONS  
BEFORE PERMITTING SOLICITATIONS OF CUSTOMERS

HB 5298

*For immediate release*

TUESDAY AUG.9, 2011

Attorney General George Jepsen, Consumer Protection Commissioner William Rubenstein and Veterans Affairs Commissioner, Dr. Linda Schwartz are advising retail stores to check registrations before allowing charitable organizations to solicit money from customers outside their stores.

The advisory was issued because of complaints received in the past few years about charities collecting money to benefit local veterans' organizations that never received the money.

"These scams not only hurt the donating public, but also hinder the efforts of legitimate charities, including those doing invaluable work for our country's military veterans," Commissioner Schwartz said.

Connecticut law requires organizations to register with the state Department of Consumer Protection prior to soliciting charitable contributions in the state.

"Registration helps to promote public confidence that the money being given is going to the purpose intended. Unregistered charities fly beneath the State's radar and can more easily misuse the charitable funds they collect," Attorney General Jepsen said. Ask the organization representative for a copy of the DCP registration, he said.

Commissioner Rubenstein said, "We strongly encourage generosity in assisting charities. However, in order to make donations as effective as possible, donors should learn as much as they can about a charity. The first step is to determine whether the charity is listed with the Department of Consumer Protection at [www.ct.gov/dcp](http://www.ct.gov/dcp). If you find a charity is not listed, you may contact the Public Charities Unit at DCP or send an e-mail to [ctcharityhelp@ct.gov](mailto:ctcharityhelp@ct.gov), to report it."

"Secondly, although we are not authorized by law to rate the effectiveness of charities or limit the amount of funds that may be spent on the administrative costs of fundraising activities, there are several independent organizations, such as [charitynavigator.org](http://charitynavigator.org) and [guidestar.org](http://guidestar.org), which provide that type of information to donors. These organizations are easily found on the Internet," he said.

Registration information can be found on DCP's website. Click on "verify a license," then "look up license" and at the prompt for "license type," select "charities" and enter all or part of the charity name. Click "search" and all registered active organizations are listed, including those that have claimed an exemption.

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Attorney General Jepsen thanked the Connecticut Food Stores Association and the Connecticut Retail Merchants Association for distributing the advisory letter to their members.

CONTACT

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GEORGE JEPSEN  
ATTORNEY GENERAL



WILLIAM M RUBENSTEIN  
COMMISSIONER



DR. LINDA S. SCHWARTZ  
COMMISSIONER

August 8, 2011

**Re: Solicitation of Charitable Funds on Your Premises**

Dear Retail Merchant:

A common sight outside many stores lately is one or more representatives collecting for various charitable organizations. We applaud businesses that allow their premises to be used for charitable fundraising purposes. This and other kinds of charitable activities are cornerstones of strong communities. We write today to advise you of a few simple steps you can take to prevent fraudsters and scam artists posing as legitimate charities from taking advantage of you and your customers.

Although many fundraising organizations are properly registered charities with authorization to solicit funds in the State of Connecticut, many, unfortunately, are not. The registration of charities that fundraise helps to promote the public's confidence in making charitable contributions in the first place. However, unregistered charities, particularly those that solicit small cash donations, fly beneath the State's radar and can more easily misuse the charitable funds they collect. There have been a number of complaints in recent years of charities collecting donations at supermarkets and other places and misrepresenting that the collected funds would benefit local veterans' organizations. These scams not only hurt the donating public, but also hinder the efforts of legitimate charities, including those doing invaluable work for our country's military veterans.

We thought it would be helpful to provide you with a quick overview of the registration requirements for the solicitation of charitable funds in Connecticut and the means to confirm the proper registration of those organizations that seek permission to solicit on your premises. Just a little effort will ensure that your customers are being solicited by organizations that have properly registered with the State.

**The Connecticut Solicitation of Charitable Funds Act (the "Act") requires that organizations must register with the Department of Consumer Protection ("DCP") prior to soliciting charitable contributions in Connecticut.** The Act applies to organizations that solicit funds or anything of value "for any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or eleemosynary purpose, or for the benefit of law enforcement officers, firefighters or other persons who protect the public safety." Conn. Gen. Stat. § 21a-190a(1). So, for example, most organizations that solicit for youth drug programs or veterans would be covered.

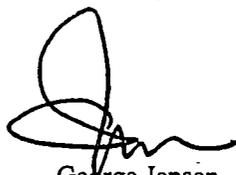
Page 2

DCP's Public Charities office is responsible for the regulation of charitable organizations in Connecticut and provides information to the public about charitable organizations. To find out if an organization is registered to solicit charitable funds in Connecticut, you can go to [www.ct.gov/dcp](http://www.ct.gov/dcp). From DCP's home page, click on "Verify a License" to arrive at the State of Connecticut eLicensing Website. Click on "Look up a license" and then in the "License Type" box, scroll down to and select Charities (CHR). Enter the business name or first part of the business name in the "Business Name/DBA" box and click "search". All registered active organizations are listed, including those that have claimed an exemption from having to register. You may also ask the organization for a copy of its DCP registration confirmation.

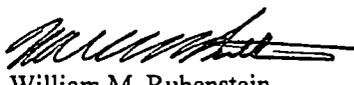
If you find that a charity is not listed on DCP's website, you may contact the Public Charities Unit at DCP at (860)713-6170 or send an email to: [ctcharityhelp@ct.gov](mailto:ctcharityhelp@ct.gov). Charities must be on file with DCP before they may solicit funds in Connecticut.

Our offices are routinely asked about the merits of individual charities, including the percentage of funds spent on charitable purposes – a potentially important measure of a charity's effectiveness. Unfortunately, we are not authorized by law to rate the effectiveness of charities or limit the amount of funds that may be spent on the administrative costs of fundraising activities. Private organizations, such as CharityNavigator, do compile information on charities' effectiveness and make it readily available on the internet. You may find these kinds of resources helpful in deciding which charities may use your premises for fundraising, but we cannot vouch for the accuracy of such information.

We hope this information has been helpful to you and that you will take a few moments to confirm that anyone soliciting charitable funds on your premises is properly registered. Thank you for your cooperation and for your work in support of charitable causes.



George Jepsen  
Attorney General



William M. Rubenstein  
Commissioner of Consumer Protection



Linda Spoonster Schwartz  
Commissioner of Veterans' Affairs