

PA13-107

HB6349

House	1342-1347	6
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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please check the board and determine if their vote is properly cast?

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

Will the Clerk please announce the tally.

THE CLERK:

Bill Number 5970.

Total Number Voting 144

Necessary for Passage 73

Those voting Yea 144

Those voting Nay 0

Absent, not voting 7

DEPUTY SPEAKER BERGER:

The bill passes.

Will the Clerk please call House Calendar Number 53.

THE CLERK:

Mr. Speaker, on Page 6, Calendar Number 53,

Substitute of House Bill 6349, AN ACT CONCERNING THE STATE MILITARY RELIEF FUND, Favorable Report of the joint standing Committee on Veterans' Affairs.

DEPUTY SPEAKER BERGER:

Thank you, Mr. Clerk.

Representative Hennessy.

mhr/gbr
HOUSE OF REPRESENTATIVES

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REP. Hennessy (127th):

Thank you, Mr. Speaker.

Mr. Speaker, I move acceptance of the joint committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER BERGER:

Question before the Chamber is on acceptance of the joint committee's Favorable Report and passage of the bill. Representative Hennessy, will you comment further?

REP. Hennessy (127th):

Yes. Thank you, Mr. Speaker.

Mr. Speaker, this bill changes the name of the Military Family Relief Fund to the Military Relief Found. Basically what it does is it extends the benefit to service members. Presently, only military, only military dependents --

DEPUTY SPEAKER BERGER:

Yes. Representative Hennessy, could you --

REP. Hennessy (127th):

Yes.

DEPUTY SPEAKER BERGER:

-- hold one second, please?

Could we please lower the volume in the Chamber or take our conversations outside the Chamber. The

mhr/gbr
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Representative has an important Veterans' bill before the Chamber.

Representative Hennessy.

REP. Hennessy (127th):

Thank you, Mr. Speaker.

Presently, only family members suffering a hardship due to military service are eligible for this benefit, so what this bill does is it extends to benefit to the service members, themselves, and it caps it at \$5000, and they have to be domicile in the State of Connecticut. I urge my, the House to support it.

Thank you.

DEPUTY SPEAKER BERGER:

Thank you, Representative.

Will you comment further on the bill before us?

Will you comment further on the bill before us?

Representative Yaccarino, of the 87th.

REP. YACCARINO (87th):

Thank you, Mr. Chair.

I'd like to thank Chair Jack Hennessy for supporting this bill. Basically, what it does, which Representative Hennessy said, well, these are private donations and private funds for all military

mhr/gbr
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servicemen that currently do not collect this \$5000.

I urge support of this passage of this bill.

Thank you.

DEPUTY SPEAKER BERGER:

Thank you, Representative.

Will you comment further on the bill before us?

Representative Nicastro, of the 79th.

REP. NICASTRO (79th):

Thank you, Mr. Speaker.

And, Mr. Speaker, I urge strong support of this bill. I've had the attorney to talk with several families who've had the opportunity to use this in the past, and it's been very helpful, especially now with these men and women coming home. It will work even better with that limit on it.

But I urge my colleagues to support this bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER BERGER:

Thank you, Representative, and thank you for your service.

Will you remark further on the bill before us?

Will you remark further on the bill before us?

If not, will staff and guests please come to the Well of the House. Will -- will members please take

their seat -- seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the Chamber, immediately.

DEPUTY SPEAKER BERGER:

Have all members voted? Have all members voted?
Will the members please check the board, determine if their vote is properly cast?

If all members have voted, the machine will be locked. And the Clerk will take the tally.

The Chair recognizes Representative Sanchez. For what purpose do you rise, Representative Sanchez?

REP. SANCHEZ (025):

Mr. Speaker, in the affirmative.

DEPUTY SPEAKER BERGER:

Representative Sanchez will be marked in the affirmative.

A VOICE:

Sanchez in the affirmative. He's going to redo it.

DEPUTY SPEAKER BERGER:

Will the Clerk please -- please announce the tally.

THE CLERK:

Bill Number 6349.

Total Voting 143

Necessary for Passage 72

Those voting Yea 143

Those voting Nay 0

Absent and not voting 8

DEPUTY SPEAKER BERGER:

The bill passes.

Will the Clerk please call House Calendar Number
-- Representative Gonzalez, what purpose do you rise?

REP. GONZALEZ (3rd):

In the affirmative, please.

DEPUTY SPEAKER BERGER:

It's too late.

A VOICE:

It's for the record. On the Journal it's --

REP. GONZALEZ (3rd):

Yeah --

A VOICE:

-- no.

REP. GONZALEZ (3rd):

-- it's too late?

A VOICE:

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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Calendar Page 8, Calendar 357, House Bill 6349;
Calendar Page 24, Calendar 599, House Bill 6458, both
from the Veterans' Committee.

And Calendar Page 11, Calendar 457, House Bill 5564,
from the Committee on Banks. Calendar Page 19,
Calendar 558, House Bill 6340, also from the Committee
on Banks.

And then Calendar Page 39, Calendar 223, Senate Bill
954, from the Committee on Insurance and Real Estate.

And then, Madam President, Calendar Page 5, Calendar
340, House Bill 6211, from the General Law Committee.
Calendar Page 9, Calendar 425, House Bill 6404, from
the General Law Committee. Calendar Page 11, Calendar
462, House Bill 5908, from the General Law Committee.
Calendar Page 15, Calendar 521, House Bill 6407, from
the General Law Committee. Calendar Page 25, Calendar
602, House Bill 5614, from the General Law Committee.

Then, Madam President, under Matters Returned,
Calendar Page 46, Calendar 100, Senate Bill 273, from
the Children's Committee. Calendar Page 23, Calendar
587, House Bill 6465, from the Children's Committee.

Then Calendar Page 21, Calendar 577, House Bill 6652,
from the Commerce Committee. Calendar Page 24,
Calendar 600, House Bill 6467, also from the Commerce
Committee.

I want to mark those items at this time.

Madam President.

THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

On Page 8, Calendar 357, substitute for House Bill
6349, AN ACT CONCERNING THE STATE MILITARY RELIEF
FUND, Favorable Report of the Committee on VETERANS'
AFFAIRS.

THE CHAIR:

Senator Leone.

Good afternoon, sir.

SENATOR LEONE:

Good afternoon, Madam President.

I move acceptance of the Joint Committee's Favorable Report and passage of the bill, in concurrence with the House of Representatives.

THE CHAIR:

The motion is on acceptance and passage in concurrence.

Will you remark, sir?

SENATOR LEONE:

Yes.

Thank you, Madam President.

This bill is the bill concerning the State Military Relief Fund. Under current law, the Military Family Relief Fund provides grants to help the immediate family members of Connecticut domiciled Armed Forces' members to pay for essential household goods or services, if paying for them would be a hardship for their family because of their service.

But what this bill does, it expands to group of eligible grant recipients to also include the active Armed Forces' members themselves, not just their family. And as a result of that, it would then cap the amount of any grant at \$5,000 and, therefore, changes the name of the fund to the Military Relief Fund. So it -- what this bill requires, rather than allow, is that the Military Department to adopt regulations governing this fund and it also requires the department to report on the status of the fund to

the Veterans' Affairs Committee annually, on or before the 15th, instead of quarterly.

So this is a -- a very good bill that actually affects all our Members. So it provides them relief if they are serving.

And I would urge passage and support.

Thank you.

THE CHAIR:

Will you remark? Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I also support this bill.

I think it's important to understand that the generous residents of the state of Connecticut have donated almost a half a million dollars through the Charitable Contribution Program to this fund. Notwithstanding under the current set of rules, prior to this legislation only 80 grants for about \$200,000 have -- have been -- have been issued. So essentially, we have this fund with a balance of over \$800,000 with the intent of supporting the families of veterans and it just seems prudent at this time to -- to broaden those eligible. And that's what this bill would do and -- and that's why I urge its adoption.

Through you, Madam President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

Senator Leone.

SENATOR LEONE:

Thank you, Madam President.

And I thank my Ranking Member for all his support.

And I would urge this to be placed on the Consent Calendar.

Thank you.

THE CHAIR:

Seeing no objection, so ordered.

Will you remark?

I'm sorry.

Mr. Clerk.

THE CLERK:

On Page 24, Calendar Number 599, House Bill Number 6458, AN ACT CONCERNING THE NEW ENGLAND DISASTER TRAINING CENTER ACTIVITY ACCOUNT.

THE CHAIR:

Senator Leone.

SENATOR LEONE:

Thank you, Madam President.

Again, I move acceptance of the Joint Committee's Favorable Report and passage of the bill, in concurrence with the House of Representatives.

THE CHAIR:

Motion is on acceptance and passage, in concurrence.

Will you remark, sir?

SENATOR LEONE:

Yes.

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Would move to place that item also on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, now would ask the Clerk to call the items on the first Consent Calendar, so that we might proceed to a vote on that Consent Calendar.

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 278, Senate Bill 709; Calendar 333, House Bill 5759; Calendar 334, House Bill 6396; Calendar 340, House Bill 6211.

On Page 8, Calendar 357, House Bill 6349 and Calendar 398, Senate Bill 1065.

On Page 11, Calendar 457, House Bill 5564 and Calendar 462, House Bill 5908.

On Page 15, Calendar 516, House Bill 5500; Calendar 521, House Bill 6407.

On Page 19, Calendar 558, House Bill 6340.

Page 21, Calendar 574, House Bill 6534; Calendar 575, House Bill 6562; and Calendar 577, House Bill 6652.

Page 23, Calendar 587, House Bill 6465; Calendar 589, House Bill 6447.

On Page 24, Calendar 599, House Bill 6458.

Page 25, Calendar 602, House Bill 5614.

And on Page 29, Calendar 622, House Bill 5278;
Calendar 625, House Bill 6624.

Page 39, Calendar 223, Senate Bill 954 and Calendar
227, Senate Bill 819.

And on Page 46, Calendar 100, Senate Bill 273 and
Calendar 137, Senate Bill 837.

THE CHAIR:

Mr. Clerk, please call for a roll call vote and the
machine will be open on the first Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Members to the Chamber. Immediate roll call has been
ordered in the Senate on today's first Consent
Calendar.

THE CHAIR:

All members have voted, all members have voted.

The machine will be closed.

Mr. Clerk will you please call the tally.

THE CLERK:

On today's first Consent Calendar:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease.

(Chamber at ease.)

**JOINT
STANDING
COMMITTEE
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**VETERANS'
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meetings in the buildings. Some of these elected officials also chair or are -- are vice-chairs of those committees, so if -- if you see someone depart, it's not for not wanting to hear your testimony; they just have to fulfill your other duties, and many of them do come back, or they will catch up on any written testimony.

With that, we'll start with the -- within the first hour with the Public Officials. If we get through that quickly, then we can move into the -- the general public.

With that, first up for our Public Hearing, Senator France. He is up in Finance. He will be back as soon as he can, so I will move on to Senator Kane if he is here. See, this is going to be easy. They're not here. Senator Kane is also probably doing the same.

Next up is Tim Tomcho from the Military Department. And forgive me, that's Lieutenant Colonel Tomcho, correct? Thank you, sir.

LT. COL. TIMOTHY TOMCHO: Senator Leone, Representative Hennessy, I'm Tim Tomcho. I'm the Judge Advocate of the Military Department. I'm here today on behalf of Major General Martin. Unfortunately he couldn't come today to testify on his bills, on these bills that we'll testify on due to the fact that a unit was leaving the state, and he had to be there for that.

SB 835
SB 836
HB 6348
HB 6349

SENATOR LEONE: Regards. Please give him our regards.

LT. COL. TIMOTHY TOMCHO: He sends his regards as well. I'm here to testify on four bills: Senate Bill 835, AN ACT CONCERNING MILITARY LEAVE FROM EMPLOYMENT, Senate Bill 836, A MILITARY RECRUITER ACCESS TO MILITARY RECORDS, House Bill 6348, STATE MILITARY SERVICE, and House Bill 6349, THE STATE MILITARY RELIEF FUND.

Rather than read General Martin's testimony into the record, I'll make a few brief statements on each bill and entertain any questions you may have.

Senate Bill 835. The military's ability to accomplish missions is dependent upon its personnel. When units are called up for emergency operations, commanders must muster their force, often requiring members to report within hours of call. Military personnel are obliged to set aside their personal matters and civic responsibilities in order to attend military obligations. When military personnel are ordered to perform military duties, most employers honor that. However, some do not. They require the employee either to take personal leave, possibly switch hours with somebody else, or even require them to go into an unauthorized leave status.

That puts a hardship on our state military personnel. It requires them to choose between the lesser of two evils, either to attend military duties, or to attend their employment. That's an undue hardship, and this -- this bill

allow compensation during that person's recovery.

This bill would also authorize the Adjutant General to erect monuments for military and veteran members on state military property without cost to the state. The Adjutant General already has that authority, but it streamlines it, and it provides a provision for military monuments as well as veterans.

And finally House Bill 6349, which is the Military Family Relief Fund. This fund has been very instrumental to assist military families since 2001, and the amount of deployments we've had. The original funds stood up in 2005, and there was some state seed money. But over the years, through contributions through the check off on the state income tax form, the Connecticut tax payers have funded this. What we would like to do is expand that fund to allow not only family members of qualified service members to apply for grants, but also the service member him or herself. It makes sense, and the fund, which is currently funded at approximately \$800,000 is sufficient, we believe, to -- to handle the expansion.

Thank you on behalf of General Martin for your support of our military personnel and our veterans. If you have any other questions, I'd be happy to answer them.

SENATOR LEONE: Thank you, Colonel. Yeah, I just --
I thank you for the testimony on these

SB 836

I, we do our work, go home, 9 to 5, and then we read the paper and have supper. They're on 24 hours a day. They may be on an operation four, five, six days until they come to a stand down. When they come to the stand down, their mail may be not there. So we need to offer them additional time to compensate for that problem.

I -- why I'm here to support the absentee -- by now you've probably figured I've come to support the absentee ballot measure.

Any questions?

REP. HENNESSY: Any questions from the Committee?

Thank you, sir.

JAMES SHELMERDINE: Thank you for your time.

REP. HENNESSY: Thank you for your service, and thank you for waiting all day.

Dave Fairman.

Brian Parkman.

Micah Welintokonis.

MICAH WELINTOKONIS: Welintokonis.

REP. HENNESSY: Sorry.

MICAH WELINTOKONIS: Good evening, and thank you guys for having this opportunity. This is only HB 5754 HB 5188 HB 5387 SB 700 HB 6349 SB 647

my second public speaking, I guess. Hence, I don't know the exact procedures, but thank you.

My name is Sergeant First Class Micah Welintokonis, and I come to you today as a recently combat-wounded veteran, not as a soldier, but as a private citizen. I had the privilege to serve with Paul Tarbox in Iraq over a brief period of time, and we lost some good friends over there in Iraq and Afghanistan.

I am in full support of combat-wounded veterans to not have to pay any dues to an organization in order to receive his or hers combat-wounded plates and S.B. No. 700.

In addition, I propose the State waive the \$79 fee which I recently had to pay for my plates. It is an insult to charge someone who was wounded while serving their country and their state. I also propose that the State of Connecticut reimburse those fees. We wounded veterans did not choose our injuries. We live with the pain and the scars and the emotions. We pay for it every day of our lives, and it is a constant reminder of what has happened to us. And as you see in the paper I submitted, I submitted my x-ray of my arm which right now only has a 20-degree range of motion, and has over 20 pieces of shrapnel.

And seeing how we have a little bit of time, I'd like to discuss some other things, that I was sitting over here and, excuse me, but I think all the other vets here -- thank you guys

been back for years, you know, and I take that advice wholeheartedly, and they've helped me in a lot of ways.

Free admission to State Parks, No. 5188. The crap that I've seen, the stuff that Tarbox has seen, and I've seen -- I've had 27 guys go down in one shot. Would it be nice to have a nice view from a State Park for free, where I didn't have to pay? Yes, sir; yes, ma'am; it would.

No. 5387, Licenses. I am in full support of that, full support, and Mr. Tarbox can verify, I've gone to schools that only a doctor has gone to, and one of them is advanced trauma life support. I'm a military medic. I was the only non-doctor in there. So I can do more stuff, even right now than a nurse can, with a busted arm. Or give them college credit for it. Something.

Military Relief Fund. Service would be -- it's kind of screwed up because it limits no improvements to homes. So let's say for example, I lost my leg or my arm. I can't get that as a service member, nor can my wife because there's no improvement to the home. So you get a guy who comes back home from a deployment, or let's say a National Guardsman goes out. Most recently he's on the roof, slips, falls. Now he's in a wheelchair. How are you guys going to help him with this Military Relief Fund? You can't. You can't help the National Guardsman. Now that his back is all screwed up, now -- how is he going to go from a wheelchair to the steps? So let's

HB6349

expand that a little bit. That would be great. Or if you're wounded in combat, you know.

No. 647, Military Email Voting. As a guy just most recently last year, and unfortunately I didn't stay the whole time and didn't complete my mission over there because of the enemy, for voting, expand that to make some type of an extension. I was in a coma for two weeks, and I was an inpatient at Walter Reed for 47 days. Now let's say hypothetically that, hey, it was election time and I was still a patient at Walter Reed. Can you do like a 60-day exemption so, hey, you know, I'm stuck up there, and I'm all messed up and jacked up and on drugs, got a traumatic brain injury. Give me that extension. I've earned that right to still be able to vote once I've recovered from my injuries and I'm out of that hospital and I can make that decision.

I can tell you right now that with military email, you have to log in with your I.D. card. It's called a CAC reader. Then in addition to that, with my own I.D. card, I have to input a code that only I know. I have no issues voting through military email. None. One of the -- Representative Alexander was talking about fax. Hey, somebody wants to think it's maybe insecure or what not, that would be like saying, Representative Hensy -- is that correct? Hensy? Sorry. But that would be like saying that, you know, you are somewhat corrupt with the fax machine. Can it happen? Can a Rep or a Congressman, you know, become corrupt in some little way or whatever? Does it

**JOINT
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**VETERANS'
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2013



L3

STATE OF CONNECTICUT

MILITARY DEPARTMENT
 WILLIAM A. O'NEILL ARMORY
 360 BROAD STREET
 HARTFORD, CONNECTICUT 06105-3795

February 19, 2013

Honorable Carlo Leone, State Senator
 Honorable Jack F. Hennessy, State Representative
 Co-Chairmen, Veterans' Affairs Committee
 Hartford, CT 06106

SB 835, "AAC Military Leave From Employment"

SB836, "AAC Military Recruiter Access to Military Record"

HB 6348, "AAC State Military Service"

HB 6349, "AAC the State Military Relief Fund"

I write to express the Military Department's support for the above-noted bills. With the continuing reliance upon members of Connecticut's Armed Forces to conduct both federal and state military operations, this legislation is required to facilitate the efficient use of and access to government resources and to ensure effective military service by our citizen soldiers and airmen. I ask the members of the Veterans' Affairs Committee to support the enactment of these bills.

Connecticut consistently leads the way in many areas in her efforts to support our armed forces and to honor our veterans. Initiatives such as the Military Family Relief Fund, the Military Support Program, the Military Funeral Honors Program, the Wartime Service Medal and the recently activated state website (<http://www.veterans.ct.gov>) underscore Connecticut's commitment to military service and to the men and women who serve and have served in the military. Even with the progress we have made, many State statutes which govern the military have not kept pace with the development of our armed forces. As a result, various sections of the General Statutes of Connecticut, especially those within Chapter 504, "Militia," require revision.

Raised Bill No. 835 revises Section 27-33a of the General Statutes to ensure that each member of the armed forces of the state is permitted to take a leave of absence from work to attend all types of ordered military duty, including drills, meetings, specialized training and recruiting events, without being subjected to adverse employment repercussions. The revised statute provides a service member to take military leave without pay from their civilian job rather than to have to take paid leave or try to find someone to fill in for them (switch their hours). In extreme cases, a member may be forced into an unauthorized absence to attend military duty.

This statutory revision clarifies the authority of the state to order members of its armed forces to duty without causing an undue burden on the member or on the employer. It is akin to federal law which protects federal Reservists from employment discrimination (Uniform Services Employment Reemployment Rights Act). Most ordered duty is known well in advance, so that the employee may schedule around military obligations. However, in the case of emergency call-ups, when forces are ordered out to respond to exigent circumstances, the military member may absent him or herself from work without reprisal. This revision underscores the proposition that service members should not suffer employment discrimination due to military service obligations, whether those obligations are required by the state or federal government.

the emergency caused by Storm Sandy (October 29, 2012), the state ordered out over 1,000 Connecticut Guard members, who performed approximately 4,150 man days of State Active Duty. Seven members sustained injury during Storm Sandy operations that required worker's compensation reporting.

In response to state emergencies, Connecticut's armed forces are called up within hours and ordered out to perform a wide array of missions to be performed in virtually every community throughout the state. Whether the call to duty requires members to engage in snow removal, distribution of FEMA-supplied commodities, infrastructure protection, high water rescue, debris clearance or security patrol activities throughout the state, the risk of injury and death is a stark reality of military service. Revising the statutes to ensure our armed forces are adequately covered by worker's compensation is necessary, proper and timely.

This bill also revises section 27-75 of the General States to permit the Adjutant General to authorize the erection of military and veteran memorials on state military property. The proposal requires the memorial to be erected at no cost to the state. The Military Department possesses the resources to fully review and authenticate initiatives or requests for military and veteran memorials. Whether the memorial is a bronze plaque to memorialize a classroom in a military facility, a bench at a military training site or a statue to honor a fallen military hero, each request will be subject to review, authentication and approval by the Adjutant General. This provision continues the State's effort to honor and facilitate military service.

HB 6349 revises Section 27-100a by transitioning the Military Family Relief Fund (MFRF) into the Military Relief Fund (MRF). As currently designed, only family members (with cognizable hardships arising from the military service) of Connecticut's service members may apply for grants from the fund. This bill will permit Connecticut service members, who are enduring hardship due to their military service, to apply for grants as well. Since its inception, the MFRF has issued over 80 grants, totaling approximately \$200,000. To support the funding of the MFRF, Connecticut residents have donated almost \$500,000 through the state's income tax return charitable contribution program. The current balance of MFRF is approximately \$800,000. Based on application volume and the provision to limit grants to \$5,000, the MFRF appears more than adequate to support its transition to the MRF.

On behalf of Connecticut's nearly 5,000 citizen soldiers and airmen, their families and our veterans, I ask the Veterans' Affairs Committee to take favorable action on these bills and to work for their passage into law during this legislative session.

Sincerely,


 THOROUGHNESS MARTIN
 Major General
 The Adjutant General

Copy Furnished:
 Governor's Office