

PA13-113

HB6458

House	3583-3590	8
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

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cjd/lgg/cd
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Those opposed, nay.

The ayes have it. The resolution is adopted.

Will the Clerk please call Calendar 529.

THE CLERK:

Yes, Mr. Speaker. On page 34 on today's Calendar, House Calendar 529, favorable report of the joint standing committee on Appropriations, House Bill 6458, AN ACT CONCERNING THE NEW ENGLAND DISASTER TRAINING CENTER ACTIVITY ACCOUNT.

SPEAKER SHARKEY:

Representative Hennessy.

REP. HENNESSY (127th):

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

SPEAKER SHARKEY:

The question is on acceptance of the joint committee's favorable report and passage of the bill.

Will you remark, sir?

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

Mr. Speaker, this is a non-lapsing account that allows the National Guard to accept gifts, grants and donations from public and private sources for the purposes of running the New England Disaster Training

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Center. It's a good bill and ought to pass.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the bill that's before us?

Representative Nicastro of the 79th.

REP. NICASTRO (79th):

Thank you, Mr. Speaker.

Mr. Speaker, this is a good bill. Basically, it clears up some of the problems, and it helps our Adjutant General out. It passed the Appropriations Committee 52 to nothing, and it passed the Select Veterans Committee 13 to nothing. I strongly support it.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Will you care to remark further on the bill that's before us.

The distinguished ranking member of the Veterans Committee, Representative Yaccarino.

REP. YACCARINO (87th):

Thank you, Mr. Speaker.

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It is a good bill. It's a great facility up in Windsor Locks, and it's a great bill and it should pass.

I'd like to thank the chairman, Jack Hennessy, and the whole committee for getting this bill through, and it's a great bill. It should pass. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Representative Sayers from the 60th District.

REP. SAYERS (60th):

Thank you, Mr. Speaker.

I also stand and support this bill. The Adjutant General has really built a very specialized facility in Windsor Locks at Camp Hartell that provides Disaster Training, actually, throughout any part of the country for people who want to come there. They have the ability to teach people how to deal with a train wreck, airplane crash, a building collapse and a number of other things so please support this bill. Thank you.

SPEAKER SHARKEY:

Thank you, madam.

Do you care to remark further on the bill that's before us?

Representative Betts of the 78th.

REP. BETTS (78th):

Thank you very much, Mr. Speaker.

I, too, also support this but I'd like to ask one brief question to the proponent please.

SPEAKER SHARKEY:

Representative Hennessy, please prepare yourself.

You may proceed with questions.

REP. BETTS (78th):

To the good gentleman, I'd like to know in this fund is this possible to have it have the money in that account taken out and put into the General Fund or is this is a dedicated fund that is not subject to anybody taking it out for purposes other than what it's established for?

Though you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hennessy.

REP. HENNESSY (127th):

Thank you, Mr. Speaker.

This money is secured and is to be used by the National Guard alone.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

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Representative Betts.

REP. BETTS (78th):

Thank you very much.

SPEAKER SHARKEY:

Thank you, sir.

Would you care to remark further on the bill
that's before us?

Representative Sawyer of the 55th.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

You know we have had multiple storms and multiple
disasters in the past two years. Mr. Speaker, this
makes a place that is not only for Connecticut
responders who have to have such specialized training
today but is also one that is offered around the
country. Mr. Speaker, this account will be set up so
that people have a secure feeling that the money will
be there when it's needed, and I give my support.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam.

Would you care to remark further? Would you care
to remark further on the bill that's before us?

Representative Carter of the 2nd District.

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REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

One question, through you, to the proponent of the bill.

SPEAKER SHARKEY:

Please proceed, sir.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, it was mentioned a moment ago that this money is secured. Is there anything in the language that can prohibit the General Assembly from taking money from that account?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Hennessy.

REP. HENNESSY (127th):

Through you, Mr. Speaker, it's a non-lapsing account. It's been through Appropriations. That's about all I can say.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Carter.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

I just think I wanted to very clear for legislative intent that this is an account that is going to do good things for people in our state. There's no question about that, but I certainly hope that we're not revisiting this account sometime in the future and trying to remove funds just because they were not expended in one particular year or another. So I do think this is a good bill. I will support it. Of course, I want to see that in the future that the money stays in the account.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further? Do you care to remark further on the bill that's before us?

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.

The House of Representative is voting by roll. Will members please return to the chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members

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voted? Members please check the board to make sure your vote is properly cast.

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

Clerk, please announce the tally.

THE CLERK:

Bill Number 6458	
Total Number Voting	134
Necessary for passage	68
Those voting Yea	134
Those voting Nay	0
Those absent and not voting	16

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please Calendar 412.

THE CLERK:

Yes, Mr. Speaker, on page 51, Calendar 412, favorable report of the joint standing committee on Government Administration and Elections, House Bill 5514, AN ACT CONCERNING THE ADMINISTRATION OF THE INTERSTATE COMPACT FOR ADULT OFFENDERS SUPERVISION.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

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SENATE**

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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.

Thank you, Madam President.

Madam President, this is the New England Disaster Training Center Activity Account and the purpose is to establish an account for the purpose of operating the New England Disaster Training Center. This is from the Military Department themselves. It's a separate, nonlapsing, general fund account for operating the Center and the -- and containing the proceeds of its operations. It also authorizes the Adjutant General to draw from the account to operate the Center and to apply for and accept public or private gifts, grants, and donations to fund the account and to allow its sustainability.

And again, I would urge support and passage of the bill.

(Senator Duff of the 25th in the Chair.)

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President.

I also rise to voice my support for this bill.

As recent years have demonstrated, there's been a lot of disaster activity in New England and this Center is critical to making sure that our men and women within this State who are responsible for responding to such disasters are adequately trained, by setting up a separate account, which will allow them to get grants and funds from private or other governmental sources.

So I stand in support of this bill.

And I thank the Chamber for its time.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you remark further on the bill?

Senator Leone.

SENATOR LEONE:

Thank you, Mr. President.

If there are no objections, I would move to place this item on the Consent Calendar.

THE CHAIR:

Seeing and hearing no objections, so ordered.

Mr. Clerk.

THE CLERK:

On Calendar Page 11, Calendar Number 457, Substitute for House Bill Number 5564, AN ACT ENCOURAGING INCREASED SAVINGS DEPOSITS, Favorable Report from the Committee on BANKS.

THE CHAIR:

Senator Leone.

SENATOR LEONE:

Thank you, Mr. President.

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

THE CHAIR:

On acceptance and passage, in concurrence with the House.

Will you remark, sir?

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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
HEARINGS**

**VETERANS'
AFFAIRS
PART 2
251 – 506**

2013

March 7, 2013

cah/gbr VETERANS AFFAIRS COMMITTEE

1:30 P.M.

So with that our first -- up on our list is Lieutenant Colonel Tim Tomcho.

TIMOTHY TOMCHO: Good afternoon, Senator Leone, Representative Hennessy and members of the Veterans' Affairs Committee, I'm Lieutenant Colonel Tim Tomcho, Judge Advocate, Military Department here today on behalf of Major General Thaddeus Martin, the Adjutant General. He sends his regards and wishes you all well and hopes that you will favorably consider three bills that I'm here to testify on today.

The first is Senate Bill 930, AN ACT CONCERNING SERVICEMEMBERS CIVIL RELIEF ACT PROCEEDINGS, House Bill 6457, AN ACT CONCERNING SERVICEMEMBERS CIVIL RELIEF ACT PROCEEDINGS, House Bill 6457, AN ACT CONCERNING THE DISPLAY OF THE STATE OR NATIONAL FLAG AT HALF-STAFF and House Bill 6458, AN ACT CONCERNING THE NEW ENGLAND DISASTER TRAINING CENTER ACTIVITY ACCOUNT.

Senate Bill 930 is a bill that would continue this Committee's efforts to ensure that military service does not unduly burden servicemembers. Last session this Committee, then Select Committee on Veterans' Affairs, raised and passed House Bill 5395, AN ACT CONCERNING CUSTODY ORDERS FOR DEPLOYED MEMBERS OF THE ARMED FORCES which became Public Act 12-90.

That bill protected the rights of military parents by providing for expedited custody hearing for children and for deploying members and restricted custody orders when a military parent is deployed.

Senate Bill 930 facilitates the rights of deployed servicemembers by permitting the introduction of electronic testimony for family court matters and that's specific to family

House Bill 6457, AN ACT CONCERNING THE DISPLAY OF THE STATE OR NATIONAL FLAG AT HALF-STAFF, revises Section 3-10f of the General Statutes to provide the Governor the statutory authority to proclaim the display of the state or national flag at half-staff. Current statute is limited providing authority for the display of the national flag at half-staff only for a period following the line of duty death of members of the Armed Forces.

This revision expands the statutory authority of the Governor to proclaim the display of either the state or national flag at half-staff. This expanded authority provides flexibility to our Commander in Chief providing him the authority to lower the national or state flag, depending on circumstances, to provide this special honor to Connecticut's heroes.

House Bill 6458, AN ACT CONCERNING THE NEW ENGLAND DISASTER TRAINING CENTER ACTIVITY ACCOUNT. The New England Disaster Training Center was established in 2008 when Connecticut received an \$8 million federal funding grant to develop a facility for providing disaster response training. It houses the Otilie Lundgren Disaster Response Memorial Field Hospital, a 100-bed mobile field hospital which assembles in hours and can be ready to triage and treat hundreds of patients during a public health emergency.

NEDTC is what we call the New England Disaster Training Center provides civilian and military participants the opportunity to learn, practice and integrate rescue, clinical, logistical and leadership skills to strengthen both individual and team capabilities.

Due to the unique nature of NEDTC and the courses that it trains and provides to our first

responders, an activity count is required. They receive federal funds for providing training to federal personnel much of which is transferred through a government travel card.

The federal government requires states to account for these funds which are received through the fiscal year and disbursed upon operational needs of NEDTC. NEDTC requires the ability to hold the funds, whether grants or tuition, across fiscal years for the execution of scheduled courses or during the period of enrollment.

Many federal personnel or agencies pay for such training directly. In essence NEDTC requires the flexibility to operate as a training institute and to issue payments from received funds on an ongoing basis specific to the courses it is teaching.

Thank you very much for the opportunity to testify here today and if there are any questions I'd be happy to answer them.

SENATOR LEONE: Thank you, Colonel, and we appreciate your testimony and please give our regards to the -- the General. I know he's very busy doing -- dealing with all this sequestration and all the other things that are -- are necessary I'm sure.

Quick question, I appreciate all the testimony on -- on Bill 930 there's just some concern in terms of creating this ability for our service men and women to have this actually go into effect where they could -- the fear, or part of the fear, my sense of fear is that they would be relinquishing their ability to legal counsel if they're dealing with civil proceedings especially if it's a child custody issue.



National Guard Association of Connecticut
360 Broad Street, Hartford, CT 06105-3795
www.ngact.org

SP 4

March 7, 2013

Testimony in Favor of Raised Bills 930, 931, 934, 935, 6455, 6457, 6458, 6459 and 6561

Good Afternoon Sen. Leone, Representative Hennessy and members of the Committee on Veterans Affairs. I am Debbi Newton, Legislative Chair of the National Guard Association of Connecticut (NGACT). I have served in that position for 10 years and have been a member of the Connecticut National Guard for 33 years.

I am here today to speak in favor of several bills currently before you.

SB 930, An Act Concerning Servicemembers Civil Relief Act Proceedings will allow members of the Services who are deployed or away at training schools to choose to appear before a civil proceeding via electronic means for family relations proceedings such as divorce, child custody and adoptions as examples. Many times these proceedings must be delayed due to a Servicemember not being able to be in physical attendance, thus prolonging issues that can cause great stress to the Servicemember and his/her family. NGACT supports anything that gives a military member the option to reduce stress that can often be detrimental to their performance as Soldiers, Sailors, Airmen or Marines.

SB 931, An Act Concerning Veteran-Owned Small Businesses and HB 6561, An Act Concerning Veterans both task the Department of Veterans Affairs with maintaining databases/registries that will benefit Veterans. 931 would establish a data base of Veteran-owned small businesses to determine the feasibility of providing legislation to offer state contracting preferences to those businesses. As you know, NGACT has been supportive of legislation to offer the Veterans contracting preferences as well as low or no cost loans to Veterans who want to start or re-establish their businesses after a deployment. This registry would go a long way in moving towards those two objectives. 6561 is something I am actually surprised we need to legislate. Determining what issues face our Veterans should be a given. We need to know what their difficulties are in order to properly serve them and provide the assistance they need. NGACT supports this legislative initiative that will only help our Veterans and their families.

SB 934, An Act Concerning Fee Waivers for Educational Extension Programs and Summer School Sessions for Wartime Veterans and Members of the Connecticut National Guard and HB 6459, An Act Concerning Tuition Waivers for Certain Veterans and Members of the National Guard Enrolled at Charter Oak State College are both initiatives NGACT has long supported and advocated for. In the 1980s, legislation was passed that granted tuition waivers to state colleges and Universities to members in good standing of the Connecticut National Guard. That tuition waiver was



STATE OF CONNECTICUT

MILITARY DEPARTMENT
WILLIAM A. O'NEILL ARMORY
360 BROAD STREET

HARTFORD, CONNECTICUT 06105-3795

SPA

March 7, 2013

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

SB 835
SB 836

SB 930, "AAC Servicemembers Civil Relief Act Proceedings"

HB 6457, "AAC the Display of the State or National Flag at Half Staff"

HB 6458, "AAC the New England Disaster Training Center Activity Account"

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 military resources and to ensure effective and honorable services by and to our citizen soldiers and airmen. Connecticut consistently leads the nation in efforts to support our armed forces and to honor our veterans. These bills are prudent measures to ensure Connecticut is still revolutionary in taking the initiative to support our military. I ask the members of the Veterans' Affairs Committee to support the enactment of these bills.

S.B. 930 provides servicemembers who are unable to participate in family relations matters due to their military service (e.g., out-of-state deployments) the opportunity to participate in proceedings through electronic media. Many servicemembers, when deployed to remote locations, are unable to schedule leave or obtain timely transportation to attend. Servicemembers, under state and federal law (Servicemember's Civil Relief Act), may stay proceedings, delaying civil actions until such time as their military service no longer precludes participation in family court proceedings. Although a stay is a useful mechanism to ensure due process, the delay may cause personal hardship to either or both parties to the action. The option of permitting servicemembers the ability to participate through electronic media not only potentially benefits the parties to the case, but permits courts an option to move a case forward, rather than issuing a stay, which may facilitate prompt disposition when a hearing is required.

Use of electronic testimony is permitted for various purposes in many states (including Connecticut) and federal courtrooms. The Uniform Interstate Family Support Act (UIFSA) provides for parties to "testify by telephone, through audiovisual means or by any other electronic means." The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) permits an individual to be deposed or to testify by telephone, audiovisual means or electronic means. The utility of electronic testimony is recognized and its use is becoming more prevalent.

Although deployed to remote locations, many servicemembers have access to electronic media, including video teleconferencing capabilities, which, if permitted to by the court, could be used to introduce evidence and move civil matters forward. State law should permit the use of modern communication devices to present evidence, upon request of the servicemember and subject to the approval of the presiding judge. This bill facilitates access to the courts by deployed members of our armed forces and allows them to participate in actions involving family matters while deployed to remote locations.

HB 6457, "AAC the Display of the State or National Flag at Half Staff" revises section 3-10f of the general statutes to provide the Governor the statutory authority to proclaim the display of the state or national flag at half staff. Current statute is limited, providing authority for the display of the national flag at half staff only for a period following the line-of-duty death of a member of the armed forces. This

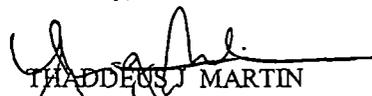
revision expands the statutory authority of the Governor to proclaim the display of either the state or national flag at half staff. This expanded authority provides flexibility to our commander in chief. Federal law (the Flag Code) permits governors to lower the national flag to half staff for certain purposes. Whenever the governor utilizes his federal authority to display the national flag at half staff, all other flags, by operation of law and tradition, must be displayed at a lower height than the national flag (at half staff as well). The governor should have the authority to lower the state flag for certain purposes, including the death of certain state luminaries, which would not cause the national flag to be half-staffed. This bill provides the governor the necessary and proper flexibility to render appropriate honors to Connecticut citizens while ensuring time-honored traditions and proper flag etiquette.

HB 6458, "AAC the New England Disaster Training Center Activity Account" establishes a Military Department account in the General Fund for the purpose of operating the New England Disaster Training Center (NEDTC). NEDTC was established in 2008 when Connecticut received \$8 million in federal funding to develop a facility for providing disaster-response training. It houses the Ottilie W. Lundgren Memorial Field Hospital, a 100-bed mobile field hospital, which assembles in hours and can be ready to triage and treat hundreds of patients during a public health emergency. NEDTC provides civilian and military participants the opportunity to learn, practice and integrate rescue, clinical, logistical and leadership skills to strengthen both individual and team capabilities in support of disaster response. Training conducted includes instruction on austere medical environment, urban search and rescue (USAR), canine search, trench rescue, confined space, rail car rescue and incident command system. Over the past two years NEDTC has supported training for Health and Human Service's National Disaster Medical System, CT-1 Disaster Medical Assistant Team (DMAT), TF-1 (CT USAR), Conn. Fire Academy, civilian and military canine search, National Guard Civil Support Team, Hartford Hospital emergency responder training, Yale New Haven Health medical personnel austere training.

Due to the nature of the funds used to facilitate NEDTC's diverse training activities, a non-lapsing military account is necessary. NEDTC may receive federal funds for providing training to federal personnel, including federal grants from the Department of Public Health. The federal government requires states to account for these funds, which are received throughout the federal fiscal year and disbursed based upon the operational needs of NEDTC to execute the training. NEDTC requires the ability to hold the funds, whether grants or tuition, across fiscal years for the execution of a scheduled courses or during the period of enrollment. Many federal personnel or agencies pay for such training (e.g. tuition) directly by use of a government credit card. In essence, NEDTC requires the flexibility to operate as a training institute and to issue payments from received funds on an ongoing basis, specific to scheduled training events. A non-lapsing account provides the mechanism to simultaneously receive and disburse funds, based on the training conducted, while being subject to state and federal auditing

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. I also request your favorable consideration and passage of two other bills still before the committee, SB 835, "AAC Military Leave from Employment" and SB836, "AAC Military Recruiter Access to Military Records," which are important for the efficient operation of the Connecticut Military Department.

Sincerely,


THADDEUS J. MARTIN
Major General
The Adjutant General

Copy Furnished:
Governor's Office