



**New York State Assembly**

**Sheldon Silver**  
Speaker



# 2013

## ANNUAL REPORT

Committee on

**Veterans' Affairs**

**Michael R. Benedetto**  
Chairman





THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIRMAN  
Veterans' Affairs Committee

COMMITTEES  
Agriculture  
Education  
Governmental Operations  
Housing  
Labor  
Ways & Means

MICHAEL R. BENEDETTO  
Assemblyman 82<sup>nd</sup> District  
Bronx, New York

December 15, 2013

Honorable Sheldon Silver  
Speaker  
New York State Assembly  
Room 932 Legislative Office Building  
Albany, New York 12248

Dear Mr. Speaker:

It is with great pleasure that I forward to you the 2013 Annual Report of the New York State Standing Committee on Veterans' Affairs.

Several significant pieces of legislation became law this year, including legislation establishing a veteran speaker education program; legislation requiring an internet connection on the Division of Veterans' Affairs website to correlate military occupations and skills to civilian translations and terms, and a law requiring county and city directors of veteran service agencies to become accredited as a Veteran's Service Organization (VSO) representative by the United States Department of Veterans Affairs.

The committee advanced legislation to require the Division of Veterans' Affairs to maintain portals devoted to information regarding resources available to assist veterans and their family members concerning mental health, substance abuse, and physical disabilities on the division's website and to authorize a State Cold War Certificate to those veterans who served during the Cold War Era defined as September 2, 1945, to December 26, 1991. Also, legislation was signed to expand the Alternative Veterans' Exemption to include by local option taxes levied by school districts.

While many of our legislative goals were achieved this past session, much more remains to be done. In 2014, the Committee will focus on helping veterans obtain employment, and the Committee also will continue to examine issues related to veterans' mental health.

I wish to extend my appreciation and many thanks to the members of the Committee, the Committee staff, and the veterans of New York State and to you, Mr. Speaker, for your unwavering support for veterans.

Sincerely,

Michael R. Benedetto  
Member of Assembly

**ANNUAL REPORT**  
**NEW YORK STATE ASSEMBLY**  
**STANDING COMMITTEE ON VETERANS' AFFAIRS**

**Honorable Michael R. Benedetto**  
**Chair**

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    Aaron Suggs, Associate Counsel  
    Nora Boyle, Committee Assistant  
    Judith Talar, Committee Clerk  
Kathleen Quackenbush, Program and Counsel Secretary

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## **I. COMMITTEE JURISDICTION AND SUMMARY**

The Assembly Standing Committee on Veterans' Affairs evaluates legislation affecting nearly one million New York State residents who unselfishly served their nation in the United States armed forces. According to the most recent data from the United States Department of Veterans Affairs, over 63,899 New York State women, have served in the military from World War II to present day. Their jobs have ranged from nurses to switchboard operators to some combat jobs, such as pilots. The Committee seeks to safeguard programs and promote legislation to benefit veterans and their families. In addition, the Committee maintains an ongoing dialogue with the veteran community and addresses issues affecting the lives of New York State veterans.

Veterans are affected by a number of titles of New York State statute, principally: Civil Service Law, Executive Law, Military Law, Education Law, Real Property Tax Law, Public Health Law, and Retirement and Social Security Law. Amendments to the State constitution that would affect veterans are also considered by the Committee. New York State currently offers a variety of veterans' assistance programs, including a real property tax exemption program, educational assistance for certain veterans and their family members, and a state veterans nursing home program. The Committee was represented at the ceremony at the New York State Korean War Memorial marking the signing sixty years ago of the armistice that halted combat in Korea and at the American Legion Department of New York Convention held in Niagara Falls, New York. The Committee was also represented at the opening exhibit called "Welcome Home: The 50 Year Commemoration Of The Vietnam War 1962-1975" at the New York State Vietnam Memorial Gallery.

This past legislative session, the Committee held six committee meetings at which it considered 92 bills. Eight passed both houses of the Legislature, seven were signed into law and one still pending at the time of publication. One constitutional amendment was considered by the Committee, passed both houses of the Legislature, and was voted upon by the electorate on November 5, 2013. 2,173,484 voters approved the amendment and 424,858 voters rejected the amendment according to the certified election results issued by the Board of Canvassers of the New York State Board of Elections on December 12, 2013.

While the Standing Committee on Veterans' Affairs has jurisdiction over legislation that affects veterans' benefits and programs that help veterans and their families, the Committee does not work alone. Some initiatives advanced by individual veterans and veterans service organizations are referred to other standing committees, such as Transportation, Real Property Taxation, Health, Governmental Employees, Labor, Tourism, Parks, Arts, and Sports Development, Environmental Conservation, Election Law, Small Business and Mental Health. As a result, the Committee's chair, members, and staff must work closely with other committees to ensure that this unique population's needs are met. To meet this goal, the Committee may analyze legislation referred to other Assembly standing committees and conduct joint public hearings and roundtables with other committees.

## **II. 2013 LEGISLATIVE HIGHLIGHTS**

### **A. Health Care Information Portals**

**(A.587, Magnarelli; Chapter 48 of the Laws of 2013)**

This law requires the Division of Veterans' Affairs to maintain on the division's website portals devoted to information regarding resources available to assist veterans and their family members concerning mental health, substance abuse, and physical disabilities.

### **B. Instructional Program for American Military History**

**(A.1601-A, Colton; Chapter 183 of the Laws of 2013)**

Many defining moments of our nation's history came in wartime. It is important that all of society, and particularly young people, are aware of the contributions of the men and women who participated in these conflicts as members of the armed forces.

This law requires the director of the Division of Veterans' Affairs (DVA) in consultation with the director of the New York State Military Museum and Veterans Resource Center to establish a veteran speaker education program. Such program will provide school districts within the State with a list of available veterans willing to visit classrooms for the purpose of discussing their military experience.

The Division, containing districts information on the program from its available resources, will develop an informational pamphlet to be distributed by mail or electronically to schools. The Division in consultation with congressionally chartered veterans organizations and local veterans' services agencies shall appoint and create a list of veteran speaker coordinators for each county of the State. The coordinators shall contact veterans who reside in their county and those who have participated in the veterans' oral history program at the New York State Military Museum or the West Point oral history project or the veterans' history project at the American Folklore or any other similar oral history project to inquire whether they would be willing to participate. No teacher or veteran will be required to participate in the program. The Division shall require a certified copy of each veteran's discharge papers before the veteran participates.

### **C. Military Occupations Correlation**

**(A.4168, Scarborough, Chapter 263 of the Laws of 2013)**

Many Iraq and Afghanistan veterans leave active duty to find their skills are not well understood by civilian employers. According to a 2007 survey by Military.com, more than three-quarters of veterans entering the civilian workforce reported "an inability to effectively transfer their military skills to civilian terms."

This law requires the Division of Veterans' Affairs to provide an internet connection to correlate military occupations and skills to civilian translations and terms.

**D. Accreditation of Directors of County and City Veterans' Service Agencies  
(A.6221-C, Schimel, Chapter 198 of the Laws of 2013)**

This law requires county and city directors of veterans' service agencies to become accredited as a Veterans' Service Organization (VSO) representative by the United States Department of Veterans Affairs (VA) within three years of the effective date.

Accreditation relates to the authority granted by VA to assist veterans and their families in the preparation, presentation, and pursuit of claims for benefits under federal statutes and regulations. This law allows existing county and city veterans' service directors to provide services while they work toward accreditation, while any director hired after the effective date of this statute must become accredited within eighteen months of appointment. The measure also requires accreditation to be maintained throughout the duration of employment.

Only accredited VSO's have access to the pertinent data from the United States Department of Veterans Affairs needed to process veteran's benefits claims.

**E. Real Property Owned by Veterans' Organizations  
A.2283, Lavine; Chapter 243 of the Laws of 2013**

Veterans' posts are integral to our communities. Many community charitable, educational, and civic organizations use these posts for functions that benefit the community as a whole. This law allows local municipalities to adopt a local law after a public hearing to exempt the rental portion of property owned by a corporation or association of veterans from real property taxes.

**F. State Cold War Certificate  
A.5890, Ortiz; Chapter 477 of the Laws of 2013**

This measure recognizes the contributions of the men and women who served honorably during the Cold War by authorizing and awarding a State Cold War Certificate to these individuals.

The statute authorizes the Adjutant General to present in the name of the Legislature the State of New York "Cold War Certificate" to those veterans who served during the Cold War Era, defined as September 2, 1945, to December 26, 1991. The law also requires the Division of Military and Naval Affairs to consult with the Division of Veterans' Affairs in drafting any rules and regulations to implement this law.

**G. Expansion of the Alternative Veterans' Exemption  
A.565, Cusick; Chapter 518 of the Laws of 2013**

This law would expand the veterans' alternative tax exemption so that it can apply to taxes levied by school districts. It would require those districts who seek to expand the applicability of the exemption to conduct a public hearing regarding the tax exemption.

After the hearing, the governing body of the school district may pass a resolution to provide the expanded exemption. Qualified veterans living within the school district that passed the resolution would have the same tax exemption from their school district taxes as they receive from their local tax district.

**H. “Veterans Employment Act”**

**A.7761, Benedetto; Awaiting Action by the Governor**

The measure would help veterans find employment in New York State. A new Article 17-A would be added to the Executive Law creating the Veterans Employment Act. This measure would require New York State to develop and utilize a list of veterans who were otherwise than by dishonorable discharge to fill temporary staffing needs of state agencies.

### **III. CONSTITUTIONAL AMENDMENT**

#### **A. Constitutional Amendment; Civil Service Exam (A.4359 Thiele; Proposition # Two on the November 5, 2013 Adopted by the Electorate)**

Last year the Legislature passed a resolution for the first time to allow a person who has received an appointment through the civil service system to be entitled to additional credit if that individual was classified as a veteran with disabilities after the first appointment or promotion.

Upon second passage by a successively elected Legislature, a proposed constitutional amendment is submitted to the people for approval. Because this resolution was passed by the Legislature in two consecutive sessions, it was placed on the November 5, 2013 ballot as Proposition # Two. On November 5, 2013, voters approved this measure resoundingly and the constitution of New York is thus amended.

## **IV. BUDGET HIGHLIGHTS**

### **A. Division of Veterans' Affairs**

#### **1. Veteran Counseling Program**

The Division of Veterans' Affairs (DVA) assists, counsels, and advocates for veterans, military personnel, and their families.

The Veteran Counseling Services Program provides counseling and claims services through a statewide network of State veteran counselors. The counselors, all of whom are veterans, and support staff help veterans complete and file applications for state, federal, and private benefits and services. Counselors also serve veterans through outreach to the federal Department of Veterans Affairs (VA) medical centers, senior centers, state veterans' nursing homes and local nursing homes, and public assistance offices. State veteran counselors help ensure that active duty military personnel and their families receive the supplemental benefits to which they are entitled.

State veteran counselors receive professional training in veterans' benefits counseling. All are accredited by the U.S. Department of Veterans Affairs. Counselors receive on-going training, as well as technical information and manuals.

The SFY 2013-14 State budget appropriated \$5,922,000 for services and expenses related to the Veterans Counseling Program in the State Operations Fund and \$2,177,000 from the General and Special Revenue Funds for services in Aid to Localities funds.

##### **a. County and City Veterans Service Agencies**

County and city veterans service agencies are mandated by state law to inform members of the armed forces, reserves, organized militia, and veterans and their families about available education, retraining, medical, and other rehabilitative services and facilities. They are also required to inform veterans and their family members about federal, state, and local laws and regulations pertaining to their rights.

The State budget for SFY 2013-14 includes a sub-allocation of \$1,177,000 for the payment of aid to County and City Veterans' Service Agencies in Aid to Localities funding.

##### **b. Monroe County Veterans Outreach Center**

The Monroe County Veterans Outreach Center in Rochester, New York, is the oldest community-based outreach center serving veterans of all eras. Its mission is to improve the lives of veterans and their dependents by offering free veteran-specific programs, such as the Veterans Community Technology Center, which provides occupational skills training. The Outreach Center also provides counseling services for successful reintegration of veterans of the Iraq and Afghanistan conflicts into the

community, short-term psychological counseling for veterans and their immediate families, residential programs for homeless veterans, and an alternative to incarceration program through the unified drug court system.

The State budget for SFY 2013-14 included a sub-allocation of \$250,000 for the services and expenses related to the Veterans Outreach Center, Inc., in Aid to Localities funding.

**c. Buffalo Service Office/New York City Service Office**

The Department of New York Veterans of Foreign Wars of the United States has two veterans' service offices. One is located in Buffalo and the other in New York City. These offices have accredited veterans counselors who help discharged veterans navigate the myriad of benefits available.

The State budget for SFY 2013-14 included a sub-allocation of \$50,000 for additional services and expenses of the Buffalo Service Officer in Aid to Localities funding. This was a legislative addition to the budget proposed by the executive.

The State budget for SFY 2013-14 included a sub-allocation of \$75,000 for additional services and expenses of the New York City Service Office under the Aid to Localities funding. This was a legislative addition.

**d. Vietnam Veterans of America New York State Council**

The Vietnam Veterans of America (VVA) is the nation's only congressionally chartered veterans' service organization dedicated to the needs of Vietnam-era veterans and their families. VVA's founding principle is "never again will one generation of veterans abandon another." The council's purpose is to help foster, encourage, and promote the improvement of the condition of the Vietnam-era veteran. As well, the council assists disabled and needy military veterans, including, but not limited to, Vietnam-era veterans and their dependents, and the widows and orphans of deceased veterans. The Council members provide assistance in navigating the various benefits available to veterans and their family members.

The SFY 2013-14 budget included a sub-allocation of \$25,000 to the Vietnam Veterans of America New York State Council in Aid to Localities funding. This was a legislative addition to the budget proposed by the executive.

**e. Legal Services New York City (LSNYC) Veterans Justice Project (VJP)**

Legal Services New York City provides legal assistance to low-income clients throughout New York City. Services include a strategic combination of litigation, policy, and legislative work.

The Veterans Justice Project (VJP) identifies systemic barriers that prevent housing stability, economic security, and basic survival, and challenges them through coordinated advocacy. The program addresses the following issues in all five boroughs to veterans: HUD-VA supportive housing issues; evictions; foreclosure; unemployment insurance denials; tax; debt collection/wage garnishment; child support; wills and powers of attorney; divorce; custody; special education; consumer, and Social Security/SSI. Since the project was launched in 2011, 2000 plus veterans and family members have been assisted.

The SFY 2013-14 budget included a sub-allocation of \$100,000 to the Veterans Justice Project in Aid to Localities funding. This was a legislative addition to the budget proposed by the executive.

## **2. Blind Veterans' Annuity Assistance**

In 2000, Chapter 453 raised the New York State Blind Veterans' Annuity Program stipend from \$500 to \$1,000 a year. The benefit was first created in 1913, and the 2000 chapter was the first time the benefit was increased. Chapter 251 of the Laws of 2004 mandated the annual adjustment of the annuity now payable plus a percentage increase, if any, for compensation and pension benefits administered by the U.S. Department of Veterans Affairs in the previous year. The director of the Division of Veterans' Affairs must publish by February first of each year, the amount of the adjusted annuity.

The SFY 2013-14 budget appropriated \$6,380,000 to this program in Aid To Localities funding. Up to \$15,000 may be transferred to state operations for related administrative expenses with this program.

## **3. Veterans' Education Program**

The Veterans' Education Program is operated by the Division. The program is located in Albany and New York City and investigates and approves post-secondary educational and vocational institutions for the use of the Division's education benefits. It also approves on-the-job training and apprenticeship programs.

The SFY 2013-14 budget appropriated \$1,966,000 for the expenses associated with the operation of this program in State Operation funding.

## **4. Administration Program**

The Administration Program is primarily composed of two components, Supplemental Burial Benefits and Gold Star Annuity Benefits. In addition, the appropriation also provides for the funding of administrative personnel and operational expenses. The SFY 2013-14 budget appropriated \$484,000 under State Operations funding and \$799,000 under Aid To Localities funding for these purposes.

### **a. New York State Supplemental Burial Benefits**

Pursuant to Chapter 106 of the Laws of 2003, New York State offers a supplemental burial benefits program to eligible families of military personnel killed in combat or on duty subject to hostile fire or imminent danger, as defined in 37 U.S.C. Section 310(a) (4).

In the SFY 2013-14 budget, \$200,000 was sub-allocated for this program and for transfer of such amounts as are necessary to state operations for related administrative expenses.

**b. Gold Star Parents**

Gold Star parents have inspired patriotic spirit in their children, encouraging them to serve the greater good of our country. These parents, who have lost children to the ravages of war, are unable to rely upon their children in their twilight years.

This appropriation supports the payment of a \$500 annuity upon application to the State Director of the Division of Veterans' Affairs for a parent who, pursuant to 10 U.S.C. section 1126, is a Gold Star Parent and has an income at or below two hundred percent of the federal poverty level. Up to two parents may claim this annual benefit.

The SFY 2013-14 budget sub-allocated \$599,000 to the payment of the Gold Star Parent annuities.

**5. State Veterans Cemetery**

The Veterans Administration (VA) State Cemetery Grants Program was established in 1978 to complement the VA's network of national cemeteries. The program assists states in providing gravesites in those areas where the National Cemetery Administration (NCA) cannot fully satisfy veterans' burial needs. Public Law 105-368, which went into effect in 1999, authorized the VA to provide up to 100 percent of the development cost for an approved project. The VA can now provide for operating equipment and for construction of new cemeteries. The VA does not provide for acquisition of land. The administration, operation, and maintenance of a VA-supported state cemetery are solely the responsibility of the state.

The Legislature reappropriated \$500,000 in funding for services and expenses related to a federal funded state veterans' cemetery pursuant to a project approved by the United States Department of Veterans Affairs.

As part of the budget (Chapter 57 of the Laws of 2013) the legislature adopted a proposal that:

- Establishes a process by which a state veterans cemetery, the cost of construction of which would be reimbursed by the federal government, could be sited and constructed;

- Establishes a management board with gubernatorial, Assembly, and Senate appointments to conduct a study to identify a site that best serves New York veterans;
- Authorizes the Division of Veterans' Affairs to submit an application to the federal Department of Veterans Affairs for funding for the construction of a state veterans cemetery;
- Creates an income tax form check off to allow taxpayers to contribute to a fund that would be used for the perpetual care of the cemetery; and
- Requires the fund to accumulate a sufficient amount to pay for 15 years of cemetery maintenance before directing that a siting study and construction could begin.

## **B. Division of Military and Naval Affairs**

### **1. Recruitment Incentive and Retention Program**

Chapter 268 of the Laws of 1996 establishes the Recruitment Incentive and Retention Program to provide eligible members of the New York Army National Guard, the New York Air National Guard, and the New York Naval Militia with a tuition benefit for undergraduate study.

In the budget for SFY 2013-14, \$3,300,000 was appropriated for expenses already accrued or to be accrued under this program

### **2. New York State Military Museum and Veterans Research Center**

The New York State Military Museum and Veterans Research Center is located in the Saratoga Armory in Saratoga Springs, New York.

In the budget for SFY 2013-14, \$241,000 was included for operating expenses associated with the New York State Military Museum and Veterans Research Center for nonpersonal service in State Operations funding. Also, \$1,000,000 was appropriated for services and expenses related to youth academic and drug demand reduction programs, the New York Guard, the New York Naval Militia, the New York State Military Museum and Veterans Research Center, and the preservation and restoration of historic artifacts.

## **C. New York State Higher Education Services Corporation Various Veterans and Military-Related Tuition Awards Program**

Currently, there are three awards programs available to veterans under the jurisdiction of the New York State Higher Education Service Corporation. They are: the Veterans Tuition Awards, which provides payments for tuition up to the undergraduate cost of

education at the State University of New York for veterans who served in Vietnam, Afghanistan, and the Persian Gulf and who have earned an Expeditionary Medal; the Military Enhanced Recognition Incentive and Tribute (MERIT) financial aid program for children, spouses, and financial dependents of those who, while New York State residents, served in the U.S. Armed Forces or state-organized militia at any time after August 2, 1990, and died, became severely and permanently disabled, or were classified as missing in action in a combat zone; and the New York State Regents Awards for Children of Deceased and Disabled Veterans, which provides \$450 per year to students whose parents served in the U.S. Armed Forces and died as a result of service or were discharged and suffer a forty percent or more disability as a result of such service.

In the SFY 2013-14 budget, \$42,335,000 was appropriated to cover the entire costs associated with the State's many scholarship programs, including the veterans' and military-related programs.

#### **D. Department of Mental Health Office of Mental Health**

##### **1. Peer-To-Peer Veterans Counseling Program**

The PFC Joseph Dwyer PTSD Peer-To-Peer Veterans Counseling Program, which provides "peer-to-peer" counseling between veterans who personally understand the effects of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI) was first funded in the 2012 budget. It has been operating in four test counties: Suffolk, Rensselaer, Saratoga, and Jefferson.

In the SFY 2013-14 budget, \$2,285,000 was appropriated to fund the four test counties Suffolk, Rensselaer, Saratoga, and Jefferson, as well as seven additional counties: Nassau, Erie, Onondaga, Orange, Putnam, Rockland, and Westchester.

##### **2. Warrior Salute Program**

CDS Monarch based in Webster, New York, operates a program called Warrior Salute Program. This program is a progressive service that helps veterans with Post-Traumatic Stress Disorder and/or TBI and their families regain their lives by providing employment opportunities, clinical rehabilitative therapies, and family support services and working one-on-one with the veterans and their families.

The SFY 2013-14 State Budget appropriated \$100,000 for this vital program in Western New York.

#### **E. Economic Development**

In the SFY 2013-14 budget, \$1.05 million was appropriated to the Utica-Rome Region's Griffiss Local Development Corporation, which operates the Griffiss Business and Technology Park, including the Air Force Research Laboratory.

## **F. Tax Credit**

The SFY 2013-14 budget included a tax credit to boost employment among veterans. A newly established tax credit was established under Chapter 59 of the Laws of 2013, Part AA, for businesses that hire veterans. For taxable years 2015 and 2016, this credit would be worth ten percent of the wages paid to a qualified veteran during the first full year of employment or 15 percent of the wages if the veteran is disabled.

## **V. BILLS THAT PASSED THE ASSEMBLY ONLY**

### **A. Veterans' Affairs Committee**

#### **1. Information On Special Veterans Populations (A. 2189-A Lavine; Passed Assembly)**

This bill would require information regarding specific mental and physical health issues, including post-traumatic stress disorder, traumatic brain injury, and any other brain-injuries, to be included on New York State Department of Health's website called Veterans' Health Care Information Program. The measure would require the Department of Corrections and Community Service to collect the military background and circumstances of persons subject to their jurisdiction and require the Commissioner of Corrections to report to the Legislature the number of inmates currently serving sentences in State correctional facilities who have served in the U.S. Armed Forces.

#### **2. Services Available to Veterans (A.3348 Sweeney; Passed Assembly)**

This bill would require all subdivisions of the State to inquire, when dealing with a client or customer, whether he or she or a family member is a veteran and then to inform veterans and their families of the services and opportunities made available by the Division of Veterans' Affairs. Any new forms created after the effective date of this act would contain the following questions: "Have you served in the United States Armed Forces?" and "Has someone in your family served in the United States military?"

#### **3. Veteran-Owned Small Business Account (A.6214 Ramos; Passed Assembly)**

This bill would require the Division of Veterans' Affairs to include an accounting of the number of veteran-owned small businesses in the State of New York in its annual report to the Governor and the members of the Legislature. This information would detail both small business concerns owned and controlled by veterans and small business concerns owned and controlled by service-disabled veterans.

#### **4. Interagency Council (A.6213-A Ramos; Passed Assembly)**

The purpose of this bill is to establish an Interagency Coordinating Council for service-disabled veterans to provide accessible, coordinated, and specialized services from multiple state and local agencies to service-disabled veterans.

#### **5. Military Sexual Trauma (A.7086 Russell; Passed Assembly)**

This bill would require the Division of Veterans' Affairs to develop plans and benefits to assist veterans who are suffering from Military Sexual Trauma (MST) while on active duty or during military training. It would require the county and city veterans' service agencies to provide information on programs to assist this special veteran population.

**6. Admission to the New York State Veterans Home Program  
(A.7561 Benedetto; Passed Assembly)**

This bill would expand the list of veterans eligible for admission to the New York State Veterans' Home program under the jurisdiction of the Department of Health. This bill would include those veterans who served in Bosnia and Herzegovina and those veterans who were exposed to radiation during military service in "radiation-risk activity." This bill also would clarify that those veterans who served in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn and were the recipient of the Global War on Terrorism Expeditionary Medal, the Iraq Campaign Medal, or the Afghanistan Campaign Medal are eligible for admission.

**B. Health Committee**

**Clarification of the Disposition of Human Remains  
(A.2674 Gottfried; Passed Assembly)**

This legislation would make several technical amendments to the Public Health Law to clarify that the written instrument designating an agent does not have to exactly match the language in Section 4201 of the Public Health Law and would remove the requirement of a second witness. This measure would allow the DD Form 93, January 2008, to be used. This federal form is used by military personnel to designate beneficiaries for certain benefits in the event of the servicemember's death. It is used for disposition of that member's pay and allowances if captured, missing, or interred.

**C. Governmental Employees Committee**

**New York City Employees  
(A.6914 Rosenthal; Passed Assembly)**

Legislation enacted after September 11, 2001, ensured that the time served for homeland security purposes will be reflected in public employees' credited retirement plans. Due to a technical error, the legislation omitted members of the New York City retirement systems. This bill would correct this omission.

**D. Governmental Operations Committee**

**Veterans Procurement  
(A.5553-A Benedetto; Passed Assembly)**

This bill would create a new Article 17-A of the Executive Law to provide service-connected disabled veteran-owned businesses and veteran-owned businesses with increased opportunities in state contracting. This bill would apply to state agencies, authorities, the State University of New York, and the City University of New York.

A service-connected disabled veteran-owned business would be considered the lowest bid in a competitive bid for a commodity if its cost is within 15% of the lowest bid. For services, if the cost component of a service-connected disabled veteran-owned business bid is within 15% of the highest scoring bid, then the cost components shall be treated equal for the purposes of competitive scoring. The legislation also sets forth the certification requirements for service-connected disabled veterans-owned businesses and the duties of agencies and the division of small business.

Veteran-owned businesses will be considered the lowest bid in a competitive bid for a commodity if their cost is within 10% of the lowest bid. For services, if the cost component of a veteran-owned business bid is within 10% of the highest scoring bid then the cost components shall be treated as equal for the purpose of competitive scoring.

## **VI. BILLS REPORTED BY OTHER COMMITTEES THAT BECAME LAW**

### **A. Alcoholism and Drug Abuse Committee**

#### **Recovering Services for Veterans (Chapter 358 of the Laws of 2013; A.1347, Cymbrowitz)**

This law requires the Office of Alcoholism and Substance Abuse Services to periodically, in consultation with the State Director of Veterans' Affairs, to review the programs operated by the office to ensure the needs of the state veterans who are recovering from alcohol and/or substance abuse are being met and to develop improvements for the program to meet the needs. Also, in collaboration with the State Director of the Division of Veterans' Affairs and the Commissioner of the Office of Mental Health, the office is required to review and make recommendations to improve programs that provide treatment, rehabilitation, relapse prevention, and recovery services to veterans who have served in combat theater or combat zone of operations and have a co-occurring mental health and alcoholism or substance abuse disorder.

### **B. Governmental Operations Committee**

#### **Lt. Colonel Todd Clark Flag Presentation Program (Chapter 465 of the Laws of 2013; A.8038, Fahy)**

This measure establishes the Lieutenant Colonel Todd Clark Flag Presentation Program. In the event the Governor orders the flags to be flown at half-staff due to the death of military service member, the Adjutant General in cooperation with the Office of General Services will arrange that the Adjutant General or his or her representative shall offer the presentation of such flags without cost to a surviving family member.

## **VII. HONORING VETERANS THROUGH LEGISLATIVE RESOLUTIONS**

### **A. Urging the New York State Congressional Delegation to Pass the Troop Talent Act of 2013 (H.R. 1796/S700) (Resolution No. 521, Benedetto)**

The unemployment rate among recently returning veterans is higher than the national average, and the number of veterans receiving unemployment benefits has doubled since 2002. There is a need to assist veterans as they transition from the military life back to the civilian workforce. This resolution calls for passage of federal legislation known as the Troop Talent Act of 2013, which would improve the alignment of specialty skills acquired in the military with civilian certifications or licenses required for post-service employment. The measure would also enable Military Tuition Assistance (MTA) and the Post 9-11 GI Bill to be used for courses and programs that guarantee a credential or industry certification after successful completion. This resolution urges the New York State Congressional Delegation to pass H.R. 1796/S700 to improve the path to civilian professional credentials for service members trained by the military.

### **B. Memorializing the Congress of the United States to Recognize the 65<sup>th</sup> Infantry Regiment Known as the Borinqueneers and Requesting They Receive the Congressional Gold Medal (Resolution No. 66, Arroyo)**

As mandated by Congress in 1899, the 65<sup>th</sup> Infantry Regiment, from Puerto Rico was the only Hispanic-segregated unit ever in the United States Armed Forces that played a prominent role in American military history, participating in three United States wars: World War I; World War II; and the Korean War. The 65<sup>th</sup> Infantry Regiment served with distinction and valor, earning two Presidential Unit Citations, Army Unit Superior Award, Navy Unit Citation, two Republic of Korea Presidential Unit Citations, and Bravery Gold Medal of Greece. This resolution urges members of Congress to recognize the Borinqueneers and requests that they receive the Congressional Gold Medal.

### **C. Recognizing the 60<sup>th</sup> Anniversary of the End of the Korean War and Paying Tribute to the Valiant Service Displayed by the Members of the United States Armed Forces (Resolution No. 707, Benedetto)**

On July 27, 1953, the United States, North Korea, and China signed an armistice to end the Korean War. This resolution recognizes the sixtieth anniversary of the end of the Korean War and pays tribute to the members of the United States Armed Forces who participated.

### **D. Commemorating the 60<sup>th</sup> Anniversary of the Cease-Fire that Ended the Korean War (Resolution No. 492, Kolb)**

Three years and 32 days after North Korean forces penetrated the 38<sup>th</sup> Parallel to launch the Korean War, hostilities ended on July 27, 1953, at approximately the point they had begun, with the signing of an armistice. This resolution commemorates the sixtieth

anniversary of the ceasefire that ended the conflict. The resolution also honors those who served our Nation and State during this time.

**E. Commemorating National Salute to Hospitalized Veterans Week (Resolution No. 68, Palmesano)**

The National Salute to Hospitalized Veterans Week was celebrated on February 10-16, 2013, to say thank you and to show support to the men and women who have honorably served our country and borne the battle in defending our freedom. The annual VA National Salute program began in 1978 when the VA took over the sponsorship from the humanitarian organization No Greater Love, Inc. The resolution commemorates this special week.

**F. Commemorating June 14, 2013, as Flag Day (Resolution No. 636, Solages)**

Flag Day was first celebrated in 1877, the centennial of the U.S. flag's existence. Flag Day was officially established by a proclamation of President Woodrow Wilson on May 30, 1916. Although various communities celebrated this event after Wilson's proclamation was issued, it was not until August 3, 1949, that President Harry S. Truman signed an Act of Congress designating June 14<sup>th</sup> each year as Flag Day. This resolution commemorates Flag Day, June 14, 2013, recognizing the importance of the American flag.

**G. Commending American Legion Department Adjutant Richard M. Pedro Upon the Occasion of Being Named a Past National Commander of the American Legion (Resolution No. 124, Benedetto)**

Delegates of the American Legion's 94<sup>th</sup> Annual National Convention unanimously passed Resolution 1, which officially bestowed the office upon the adjutant for the American Legion Department of New York. Richard M. Pedro of Owego, New York, is only the eleventh person in the history of the American Legion to be named Past National Commander of the American Legion, who had not served in this office. He has been an active member of the American Legion Post 401, Tioga, New York, for 68 years, serving in a multitude of elected and appointed positions at the post, department and national levels. This resolution commends Mr. Pedro on this special honor.

**H. Honoring the Syracuse VA Medical Center Upon Its 60<sup>th</sup> Anniversary Rededication Celebration (Resolution No. 545, Magnarelli)**

For the past 60 years, the Syracuse VA Medical Center has provided veterans with comprehensive inpatient care services that include primary, surgical, cardiac, maternity, neurological, mental health, rehabilitative, geriatrics, and dental, as well as transitional care with the primary focus on restorative services. In 2005, the Syracuse VA Medical Center was selected as the VISN 2 preferred site for the Polytrauma Network Site, providing long-term rehabilitative care to veterans and service members who experience severe injuries to the brain. They also maintain a strong partnership with the State

University of New York Upstate Medical University. This resolution pays tribute to the Syracuse VA Medical Center, its staff, past and present, and to those individuals and instructors that have made the Syracuse VA Medical Center an outstanding facility for our veterans, where they can maintain and regain their health, receive counseling, and learn about important health practices.

**I. Honoring Colonel Theodore Dobias Upon the Occasion of Celebrating 50 Years of Distinguished Service to the New York Military Academy (Resolution No. 661, Skartados)**

Colonel Theodore Dobias has served for 50 years on the staff of New York Military Academy. He was a Commandant, leader, role model, coach, and a highly decorated soldier in World War II. He has won military decorations for his service in World War II, including the Bronze Star with Oak Leaf Cluster. Colonel Dobias has continually demonstrated an impressive dedication to the quality of the educational programs and opportunities offered at the New York Military Academy for the benefit of its faculty, students, and the entire community. This resolution honors Colonel Dobias upon the occasion of celebrating 50 years of distinguished service to the New York Military Academy and for his distinguished military service to our nation.

**J. Congratulating Gerald Barbosa Upon the Occasion of Being Awarded the Insignia of Chevalier of the Legion of Honor by the President of the French Republic, in November 2013, in Recognition of His Valiant Service During the Invasion of Normandy (Resolution No. 621, McKevitt)**

In November 2013, Gerald Barbosa was awarded the Insignia of Chevalier of the Legion of Honor by the President of the French Republic in recognition of his valiant service during the invasion of Normandy. He was awarded the medal in New York City. This resolution congratulates Mr. Barbosa on this special honor.

## **VIII. HONORING SERVICEMEN AND SERVICE WOMEN THROUGH LEGISLATIVE RESOLUTION**

### **A. Commending the 191 Servicemen and Service Women From the State of New York Who Made the Ultimate Sacrifice Serving Their Country During the Iraq Conflict (Resolution No. 222, Lalor)**

The courage and bravery of our military personnel since the United States Armed Forces commenced Operation Iraqi Freedom will ensure our continued role as a nation which defends the freedom currently existing here in the United States. This resolution commends and thanks the 191 servicemen and service women who made the ultimate sacrifice while serving their country during the Iraq Conflict and the surviving members of their families.

### **B. Mourning the Untimely Death of Lieutenant Colonel Todd Clark of Albany, New York, and Paying Tribute To His Courageous Actions As a Member of the United States Army (Resolution No. 656, Fahy)**

Lieutenant Colonel Todd Clark was a brigade-level advisor with the United States Army's 10<sup>th</sup> Mountain Division. He died in the line of duty on Saturday, June 8, 2013, while serving his second tour in Afghanistan. Colonel Clark had completed three other tours in Iraq and spent roughly twelve years overseas. This resolution mourns the untimely death of Lieutenant Colonel Clark and pays tribute to his courageous actions as a soldier of the United States Army.

## **IX. MEMORIALIZING THE GOVERNOR TO PROCLAIM VETERAN-RELATED EVENTS**

### **A. Memorializing Governor Andrew M. Cuomo to Proclaim Friday, March 29, 2013, as Vietnam Veterans' Day in the State of New York (Resolution No. 197, Miller)**

The United States Armed Forces became involved in Vietnam from 1961 to 1975. Members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961, and in 1965 the United States Armed Forces deployed ground combat units in Vietnam. By the end of 1965, there were 80,000 United States troops in Vietnam and by 1969 a peak of 543,000 United States troops were serving in Vietnam. More than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded. This resolution memorializes Governor Cuomo to proclaim Thursday, March 29, 2013, as Vietnam Veterans' Day in the State of New York.

### **B. Memorializing Governor Andrew M. Cuomo to Proclaim April 24, 2013, as West Point Day in New York State (Resolution No. 339, Skoufis)**

By an act of Congress, on March 16, 1802, the United States Military Academy was established within the borders of New York State, on the banks of the Hudson River. The Academy and its graduates are an integral part of the proud history of New York State and the nation. The West Point alumni have not only succeeded on the battlefield but in many fields of endeavor. Sixty-one years ago, the late James T. McNamara, then a member of the New York State Assembly, and a member of the Academy's Class of 1939, was the author of the State legislature's first "West Point Day" Resolution. This resolution memorializes Governor Cuomo to proclaim April 24, 2013, as West Point Day in State of New York.

### **C. Memorializing Governor Andrew M. Cuomo to Proclaim May 13, 2013, as Blue Star Families' Day in the State of New York (Resolution No. 374, McLaughlin)**

Blue Star Mothers of America, Inc., dates back to World War II and is a support organization for mothers of children serving or who have served in the United States military. The blue star flag was created in 1917 by an Army captain from Ohio and became the unofficial symbol of a child in service. The organization is named after the signature blue stars mothers hang in their window when their children are called to service, either stateside or overseas. This resolution memorializes Governor Cuomo to proclaim May 13, 2013, as Blue Star Families Day in the State of New York.

### **D. Memorializing Governor Andrew M. Cuomo to Proclaim May 22, 2013, as Maritime Day in the State of New York (Resolution No. 477, Jacobs)**

On May 22, 1819, the S.S. Savannah departed for Europe under steam; although the ship was also rigged with sails, it paved the way for future steamship success. The United States Congress, by joint resolution on May 20, 1933, designated May 22 of each year as

National Maritime Day. Today, National Maritime Day honors shipping and merchant marines in general. The first maritime school in the country, SUNY Maritime is a four-year college located at Fort Schuyler on the Throgs Neck peninsula. This institution prepares students for careers in the maritime industry, government, military, and private industry. This resolution memorializes Governor Cuomo to proclaim May 22, 2013, as Maritime Day in the State of New York.

**E. Memorializing Governor Andrew M. Cuomo to Proclaim September 16, 2013, as The American Legion Day in the State of New York (Resolution No. 458, Sweeney)**

In 1919, the United States Congress presented the American Legion with its federal charter. Congress marked the occasion of their 90<sup>th</sup> Anniversary as it proclaimed September 16, 2009, “The American Legion Day.” The American Legion works to preserve and maintain law and order, foster and perpetuate a strong sense of national pride, and instill a sense of individual obligation to the community, guided by the four pillars of Veterans Affairs and Rehabilitation, National Security, Americanism, and Children and Youth. This resolution memorializes Governor Cuomo to proclaim September 16, 2013, as The American Legion Day in the State of New York.

**F. Memorializing Governor Andrew M. Cuomo to Proclaim November 4-10, 2013, the Week Prior to Our National Veterans’ Day, Held Yearly on November 11<sup>th</sup>, as Veterans Awareness Week in the State of New York (Resolution No. 487, Sweeney)**

Throughout our nation’s history, the men and women of the United States Armed Forces have preserved our freedom, protected our security, and upheld our democratic values. During the week of November 4-10, 2013, we honor the veterans of the United States Armed Forces. This resolution memorializes Governor Cuomo to proclaim November 4-10, 2013, as the week prior to our national Veteran’s Day, held yearly on November 11<sup>th</sup>, as Veterans Awareness Week in the State of New York.

## **X. OTHER ACTIVITIES BY THE VETERANS COMMITTEE**

### **A. Subcommittee on Women Veterans**

The Subcommittee on Women Veterans sponsored the 19<sup>th</sup> annual Women Veterans Recognition Day, held on June 12, 2013. This year the Subcommittee honored the many accomplishments of women veterans, from those who served during World War II to those serving in Iraq and Afghanistan. A luncheon was also held. Jane E. Weber, M.S., R.N., Women Veterans Program Manager of the Samuel S. Stratton VA Medical Center, was the guest speaker. Those who attended reflected on their time spent in the military, their experiences as women in the United States Armed Forces, problems they have encountered since their time in military service and how the State can communicate with women veterans to provide answers to their questions and concerns.

Assembly Resolution No. 612 by Assemblywoman Addie Russell, the Chair of the Subcommittee on Women Veterans, was adopted memorializing Governor Andrew M. Cuomo to proclaim June 12, 2013, as Women Veterans Recognition Day in the State of New York.

Assembly Resolution No. 617 by Assemblywoman Addie Russell memorializing the 65<sup>th</sup> Anniversary of the signing of the “Women’s Armed Services Integration Act of 1948.” Sixty-five years ago, June 12, 1948, President Harry S. Truman signed into law the “Women’s Armed Services Integration Act of 1948” (P.L. 625-80<sup>th</sup> Congress). The law insured that women would have a permanent place in the Army, Navy, Air Force, and Marine Corps.

### **B. Public Hearing and Roundtable**

On October 8, 2013, the New York State Assembly Standing Committee on Veterans’ Affairs; the New York State Assembly Standing Committee on Mental Health, and the New York State Assembly Subcommittee on Women Veterans held on a public hearing in Albany, New York, on military-related suicides and the role of the State in reducing the suicide rate among military veterans. In recent years, the number of veterans and active duty troops that commit suicide has increased. In a Department of Veterans Affairs report of February 2013, the daily average of twenty-two suicides by veterans was cited and this figure was twenty percent higher than a 2007 department estimate. Among those who testified was the Mental Health Association of New York State, who touted the success of programs like SafeTALK, a layman’s course in suicide prevention that has empowered military families to recognize warning signs in loved ones. The Veterans Health Alliance of Long Island also provided testimony at the hearing. The Vietnam Veterans of America New York State Chapter and the Veterans Mental Health Action Committee of New York City submitted testimony.

### **C. Special Projects**

Chairman Michael Benedetto initiated the creation of the “Welcome to my Veteran’s Affairs Page” on a member’s New York State Assembly web page. It provides contacts for veterans’ posts in the member’s district and links to appropriate information, such as government links to the Veterans Job Banks and veterans’ organizations. This page can be customized to reflect each member’s district.

## **XI .OUTLOOK FOR 2014**

The Standing Committee on Veterans' Affairs is looking forward to a productive year in 2014. The committee will continue to work with the Division of Veterans' Affairs, the Division of Military and Naval Affairs, other State agencies, veterans' organizations, and individual veterans throughout New York State to develop programs and services to assist the veterans of this state.

The issues that the Committee intends to pursue include the following:

- outreach to older veterans;
- continued establishment of veterans' mental health and outreach programs to help veterans in need of specific care related to mental health, post-traumatic stress disorder, traumatic brain injury, and substance abuse;
- increased awareness of mental health treatment programs for those veterans who suffer from Military Sexual Trauma;
- increased outreach to women veterans to better identify and respond to their needs; and
- outreach to recently discharged veterans.

The Committee will continue to strive to address the needs of New York State's more than one million veterans and their families.

**APPENDIX A**

**SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE ASSEMBLY COMMITTEE ON VETERANS' AFFAIRS**

<b>Final Action</b>	<b>Assembly Bills</b>	<b>Senate Bills</b>	<b>Total Bills</b>
<b>Bills Reported With or Without Amendments</b>			
To Floor; Not Returning to Committee	5	0	5
To Ways and Means	13	0	13
To Codes	0	0	0
To Rules	0	0	0
To Judiciary	1	0	0
<b>Total</b>	19	0	19
<b>Bills Having Committee Reference Changed</b>			
To	0	0	0
To	0	0	0
To	0	0	0
To	0	0	0
<b>Total</b>	0	0	0
<b>Senate Bills Substituted or Recalled</b>			
Substituted	0	0	0
Recalled	0	0	0
<b>Total</b>	0	0	0
<b>Bills Defeated in Committee</b>	0	0	0
Bills Held for Consideration With a Roll-Call Vote	1	0	0
Bills Never Reported, Died in Committee	63	8	71
Bills Having Enacting Clauses Stricken	1	0	1
Motions to Discharge Lost	0	0	0
Total Bills in Committee	84	8	92
Total Number of Committee Meetings Held	6		

**APPENDIX B**

**BILLS THAT PASSED BOTH HOUSES AND WERE SIGNED INTO LAW**

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>CHAPTER</b>	<b>DESCRIPTION</b>
A.565	Cusick	518	This law would authorize the governing body of a school district, after public hearings and adoption of a resolution, to grant eligible veterans an exemption from their school taxes.
A.587	Magnarelli	48	This law requires the division of veterans' affairs to maintain mental health, substance abuse, and physical disabilities portals on its website.
A.1601	Colton	183	This law creates a veteran speaker education program within the Division of Veterans' Affairs.
A.2283	Lavine	243	This law allows local municipalities to adopt a local law after a public hearing to exempt the rental portion of property owned by a corporation or association of veterans from real property taxes.
A.5890	Ortiz	477	This law recognizes the contributions of our service men and women who served honorably during the Cold War by authorizing and awarding a State Cold War Certificate to these individuals.
A.4168	Scarborough	263	This law requires the Division of Veterans' Affairs to provide an internet connection to correlate military occupations and skills to civilian translations and terms.
A.6221-C	Schimmel	198	This law will require directors of county and city

			veterans' service agencies to become accredited by the United States Department of Veterans Affairs.
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**APPENDIX C**

**BILLS THAT PASSED THE ASSEMBLY ONLY**

<b>BILL NO.</b>	<b>SPONSOR</b>	<b>DESCRIPTION</b>
A.2189-A	Lavine	Would create a study on various aspects of the lives of this State's veterans.
A.3349	Sweeney	Would inform veterans and their families of the many services and opportunities provided by the Division of Veteran's Affairs.
A.6213-A	Ramos	Would establish a New York State Interagency coordinating Council for Service-Disabled Veterans to provide accessible, coordinated, and specialized services from multiple state and local agencies to disabled veterans.
A.6214	Ramos	Would require the New York State Division of Veterans' Affairs to include an account of the number of veteran-owned small businesses in the State of New York in its annual report to the governor and members of the Legislature.
A.7086	Russell	Would require the Division of Veterans' Affairs to develop programs to address military sexual trauma, and also would require the county and city veterans' service agencies to provide information on matters pertaining to military sexual trauma.
A.7561	Benedetto	Would extend admissions to the New York State veterans' nursing homes to certain veterans.

**APPENDIX D**

**Bills That Passed Both Houses but Awaiting Action By The Governor**

<b>Bill #</b>	<b>Sponsor</b>	<b>Description</b>
A.7761	Benedetto	A new Article 17-A Would add a new Article 17-A to the Executive Law, creating the Veterans Employment Act.