

2008 ANNUAL REPORT

NEW YORK STATE ASSEMBLY

COMMITTEE ON VETERANS' AFFAIRS



Sheldon Silver, Speaker

Adriano Espaillat, Chair

December 15, 2008

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 2008 Annual Report of the New York State Assembly Standing Committee on Veterans' Affairs. I have had the honor of being the chair of the Committee on Veterans' Affairs since June of 2007. Since this appointment I have dedicated myself to aiding the brave men and women that have served in the armed forces of the United States and in New York's militia.

This year has been a very important one for veterans in New York. During the budget process, the Veterans' Affairs Committee worked with Governor Paterson to develop the most extensive education benefit for veterans that New York has seen. Now veterans that have served in active combat will be able to receive a tuition benefit that will cover the entire cost of attending a four year program at the State University of New York; it can also be used to pay tuition costs at The City University of New York or private institutions. This benefit will provide New York's veterans with new opportunities to succeed and will help our veterans reintegrate back into civilian life.

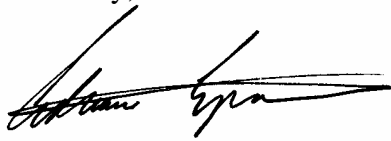
Some of the other measures enacted into law include: extension of the statute of limitations for cases based on tortious exposure of military personnel in Indo-China to phenoxy herbicide (Agent Orange); extension of the benefit that allows military personnel to suspend repayment of loans from the state retirement system while engaged in active military service; and authorization of municipalities to adopt a local law or ordinance allowing the assessor to transfer and prorate a real property tax exemption granted to the spouse or unremarried surviving spouse

of a veteran when such person sells the property receiving the exemption and purchases property within the same municipality.

We have accomplished much this year, but much more remains to be done. In 2009, the Committee will focus on the returning veterans who have served in Iraq and Afghanistan. The Committee also will closely examine the problems faced by veterans who are returning with post-traumatic stress disorder and traumatic brain injuries.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Adriano Espaillat', with a long horizontal flourish extending to the right.

Adriano Espaillat
Assemblymember 72nd District

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

**Honorable Adriano Espaillat
Chair**

Majority

William L. Parment
Catherine T. Nolan
Audrey I. Pheffer
Robert K. Sweeney
William Magnarelli
Adam T. Bradley
Michael J. Cusick
Mark Schroeder
Marc S. Alessi
Donna Lupardo
Albert A. Stirpe Jr.
Michelle Schimel

Minority

Gregory R. Ball
Ranking Minority Member
Daniel J. Burling
Roy J. McDonald
Rob Walker
Stephen M. Hawley

Staff

Joanne Barker, Legislative Coordinator
Joanne B. Martin, Principal Analyst
Lowell Siegel, Counsel
Anthony J. Kergaravat, Committee Assistant
Barrett Rowse, Committee Clerk
Kathleen Quackenbush, Program and Counsel Secretary

TABLE OF CONTENTS

I.	COMMITTEE JURISDICTION AND SUMMARY.....	1
II.	2008 LEGISLATIVE HIGHLIGHTS.....	2
	A. Agent Orange Extender.....	2
	B. Temporary Suspension on Loan Payments.....	2
	C. Days of Commemoration.....	3
	D. Veterans’ Real Property Tax Exemptions.....	3
III.	CONSTITUTIONAL AMENDMENT.....	5
IV.	VETOES OF NOTE.....	6
	A. Cold War Service Medal.....	6
	B. Veteran Program Consolidation Council.....	6
	C. Veterans Reunification Study.....	6
V.	BUDGET HIGHLIGHTS.....	8
	A. The Division of Veterans’ Affairs.....	8
	B. Division of Military and Naval Affairs.....	11
	C. Department of Family Assistance.....	11
	D. New York State Higher Education Services Corporation.....	12
VI.	BILLS THAT PASSED THE ASSEMBLY ONLY.....	13
	A. Veterans’ Affairs Committee.....	13
	B. Aging Committee.....	13
	C. Governmental Employees Committee.....	14
	D. Governmental Operations Committee.....	14
	E. Local Governments Committee.....	14
	F. Ways and Means Committee.....	14
VII.	BILLS REPORTED BY OTHER COMMITTEES THAT BECAME LAW.....	16
	A. Alcoholism and Drug Abuse Committee.....	16
	B. Codes Committee.....	16
	C. Election Law Committee.....	16
	D. Governmental Employees Committee.....	16
	E. Governmental Operations Committee.....	16
	F. Health Committee.....	17
	G. Ways and Means Committee.....	17
VIII.	HONORING VETERANS THROUGH LEGISLATIVE RESOLUTIONS.....	19
	A. 140 th Anniversary of the First National Memorial Day Celebration.....	19
	B. The 100 th Anniversary of the United States Army Reserve.....	19
	C. Expeditious Citizen Applications for Members of the Armed Services.....	19
	D. The Post-9/11 Veterans Educational Assistance Act of 2008.....	19
	E. The 41st Anniversary of the USS FORRESTAL Disaster.....	20
	F. Flag Day and the Pledge of Allegiance.....	20
	G. Full Funding for Veterans’ Healthcare Services.....	20
	H. The 250 th Anniversary of the French and Indian War at Fort Ticonderoga.....	20
	I. The 75 th Anniversary of the Canandaigua VA Medical Center.....	20
	J. Remembrance of the Pearl Harbor Bombing.....	21
IX.	HONORING SERVICEMEN AND WOMEN THROUGH LEGISLATIVE RESOLUTIONS.....	22
	A. Honoring Chief Master Sergeant Wendy S. York.....	22
	B. Honoring Retired Chief Master Sergeant Dennis Richardson.....	22

C.	Honoring Colonel Anthony B. Basile.....	22
D.	Honoring the Life of Ralph U. DeMarco.....	22
E.	Honoring Sergeant James T. Hackemer.....	23
F.	Honoring Major General Robert L. Wolf.....	23
G.	Honoring Rear Admiral Robert A. Rosen.....	23
H.	Honoring the Service of Joseph A. Marra.....	24
I.	Honoring Sergeant Brian Coons.....	24
J.	Mourning the Untimely Deaths of Several Men and Women Who Died in Iraq and Afghanistan.....	24
X.	MEMORIALIZING THE GOVERNOR TO PROCLAIM VETERAN-RELATED EVENTS.....	25
A.	Memorializing Governor David A. Paterson to Designate the Week Prior to Veterans Day as Veterans Awareness Week.....	25
B.	Memorializing Governor David A. Paterson to Establish a Youth Program Known as the National Guard Youth Challenge Program.....	25
C.	Memorializing Governor David A. Paterson to proclaim May 1, 2008, as Cold War Victory Day in New York State.....	25
XI.	OTHER ACTIVITIES BY THE COMMITTEE.....	26
A.	Subcommittee on Women Veterans.....	26
B.	Department of Veterans Affairs On-Line Claim Applications.....	27
C.	Wounded Warrior Resource Center Established.....	27
D.	Mobile Counseling Centers.....	27
E.	Public Hearings.....	27
XII.	OUTLOOK FOR 2009.....	28
	APPENDIX A - VETERANS AFFAIRS COMMITTEE SUMMARY.....	29
	APPENDIX B – BILLS THAT PASSED BOTH HOUSES AND WERE SIGNED INTO LAW.....	30
	APPENDIX C – BILLS THAT PASSED BOTH HOUSES AND WERE VETOED.....	31
	APPENDIX D – BILLS THAT PASSED ASSEMBLY ONLY.....	32

I. COMMITTEE JURISDICTION AND SUMMARY

The Assembly Standing Committee on Veterans' Affairs evaluates legislation affecting 1.25 million New York State residents who selflessly served their nation in the United States armed forces. This number includes the nearly 60,000 women veterans who volunteered to serve in the military. Their jobs have ranged from nurses to switchboard operators to combat positions. The Committee's work is geared toward safeguarding programs and promoting legislation to benefit veterans and their families. In addition, the Committee maintains an ongoing dialogue with the veterans' community and addresses developing issues affecting the lives of New York State veterans.

Veterans' issues 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.

This past Legislative session the Committee held five meetings at which it considered eighty-seven bills and three resolutions. Nine bills passed both houses of the Legislature, six were signed into law and three were vetoed.

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 organizations are referred to other standing committees, such as Energy, Transportation, Health, Government Employees, Labor, and Corporations, Authorities, and Commissions. 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 referenced to other Assembly standing committees and conduct joint public hearings with other committees.

II. 2008 LEGISLATIVE HIGHLIGHTS

A. Agent Orange Extender (A.9865, Espailat; Chapter 143 of the Laws of 2008)

Dioxin is a chemical contaminant that was contained in Agent Orange, a herbicide used for defoliation in Vietnam from 1962 until 1971, as well as along the demilitarized zones in Korea in 1968-69, and at Fort Drum, New York, in 1959.

Agent Orange received its name from orange painted on barrels containing the herbicide. Other herbicides were also named this way, e.g., Agents White, Blue, Green, and Purple. The barrels were color-coded to make identification easier for shippers and handlers.

Herbicide-spraying operations were conducted to clear vegetation, denying the enemy camouflage or cover for ambush. Herbicides were also used to destroy enemy food crops and to clear base perimeters, landing zones, waterways, and communication lines. An estimated 11 million gallons of Agent Orange were sprayed in Southeast Asia.

Of the nearly 440,000 Vietnam era-veterans in New York State, roughly 131,000 engaged in active duty in Southeast Asia. Thus, the number of veterans in New York State who were exposed may be very high.

Since the time this statute of limitations was first enacted in 1981, additional diseases, such as Hodgkin's disease, prostate cancer, and adult-onset diabetes mellitus (Type II), have been associated with Agent Orange. Researchers have found a link between a type of leukemia and Vietnam soldiers exposed to herbicides such as Agent Orange, prompting the Department of Veterans Affairs to extend benefits to veterans with the illness.

In 1981, legislation was enacted to allow former members of the armed forces to initiate action to recover damages from personal injury caused by exposure to phenoxy herbicides (Agent Orange) within two years from the date of discovery of the injury or within two years from the date such injury should have been discovered, whichever is later.

This chapter extends to June 16, 2010, the deadline for filing suits against the producers of Agent Orange. Those persons whose injury or death was caused by contact with or exposure to phenoxy herbicides (Agent Orange) and who served as members of the U.S. Armed Forces in Indo-China from February 28, 1961, through May 7, 1975, may file.

B. Temporary Suspension on Loan Payments (A.11201-A, Espailat; Chapter 133 of the Laws of 2008)

The current law provides a benefit to military personnel allowing them to postpone payments for a loan to a State public retirement plan when engaged in active military service. In order to qualify for this benefit a member of the armed service must be engaged in active duty. The benefit allows them to defer their payments until they have return from active duty and will extend the period of their loan repayment by an equal amount of time. This chapter will prevent this benefit from expiring until July 1, 2010.

This benefit allows military personnel more financial freedom when preparing to be deployed. By granting them this small but helpful assistance, they are more easily able to financially prepare for deployment. This law will provide assistance to families of military personnel as well as provide additional peace of mind to soldiers while they are away. By properly supporting our troops, we are allowing them to do their difficult work without the distraction of problems at home.

**C. Days of Commemoration, Vietnam Veteran's Day
(A.9731, Titone; Chapter 90 of the Laws of 2008)**

Throughout our nation's history, specific days have been set aside in order for us to remember the difficult sacrifices and accomplishments of our forebears. It is important to remember these events as their legacy helps to shape the world we live in.

On March 29, 1973, the last 2,500 troops were withdrawn from South Vietnam ending active military participation of the United States government in this nation's longest war. This chapter designates March 29 as a day of commemoration to honor those individuals who sacrificed for their country.

D. Veterans' Real Property Tax Exemptions

The veterans' real property tax exemption provides qualified veterans living within taxing districts with various reductions and benefits related to the amount and manner that they pay their real property taxes. These amounts can vary based on property assessment values in the area and the amount the local municipal officials decide is the most beneficial to their communities. This tax exemption is intended to assist former members of our military service and their families in establishing a more permanent tie to their communities in honor of their service. In addition to providing veterans benefits, these sections of law also extend most of the same benefits to the spouses and the unremarried surviving spouses of qualified veterans. This extension of benefits to a veteran's spouse provides several advantages to the veteran's family. It creates more economic freedom for the family, allowing both the veteran and his or her spouse to have more independent control of the household's finances. Additionally, it ensures that the veteran's immediate family will not suffer economic hardships when dealing with the death of a loved one. This year, the committee produced three measures to expand and clarify current tax exemptions

**1. Transference of Tax Exemptions
(A.4262-A, Gianaris; Chapter 503 of the Laws of 2008)**

This law alters a specific benefit of the veterans' tax exemption that allows a veteran to move from one residence to another, within the same tax district, and continue to receive his or her tax exemption for the remainder of the year. Without this provision, qualified veterans that are receiving a tax exemption would be denied the same exemption on a new residence until the start of a new fiscal year. This chapter amends this provision to provide the spouse or unremarried surviving spouse of a veteran continuing benefits. This chapter ensures that the benefits provided by this section of law are distributed equitably and in a just fashion.

**2. Cold War Veterans' Tax Exemption in Nassau County
(A.11050A, Lavine; Chapter 495 of the Laws of 2008)**

Current law prohibits the implementation of any regulation that will alter the taxable status of individuals within ninety days of the taxable status date. When the cold war veterans' tax exemption became law, certain municipalities within the county of Nassau did not have enough time to implement the tax exemption before the taxable status date. This law will allow those qualified veterans to receive this tax exemption regardless of the ninety day restriction.

**3. Veterans' Alternative Tax Exemption for Members of Reserve Components
(A.11493, Walker; Chapter 384 of the Laws of 2008)**

The current alternative tax exemption law was ambiguous with regards to its application for members of the reserve components of the armed forces. This law creates a clear definition of the qualifications the members of these reserve components must meet in order to qualify for a local real property tax exemption.

III. CONSTITUTIONAL AMENDMENT

**Constitutional Amendment; Civil Service Exam
(A4328, Ortiz; Proposition #1 on the November 4, 2008, Ballot; Adopted by the Voters)**

Last year the Legislature passed a resolution, for the second time, to remove from the State constitution the requirement that a veteran who was disabled in the performance of duty in any war must receive disability payments from the United States Veterans Administration in order to qualify for additional civil service points and to allow the veteran to qualify for additional civil service points if he or she has been certified as disabled.

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 4, 2008 ballot as Proposition #1. The November 4, 2008, vote approved this measure, and the constitution of New York is thus amended.

IV. VETOES OF NOTE

A. Cold War Service Medal (A.5156-A, Ortiz; Veto Memo 20)

This bill would have authorized the Governor to issue a medal to a qualified member of the armed forces who served from the period of September 2, 1945, to December 26, 1991, more commonly known as the Cold War. The adjutant general would have been directed to institute rules and regulations as to the presentation of the medal.

In his veto message, the Governor noted that a similar medal was proposed at the federal level. The Department of Defense opposed the legislation on the basis that its creation would diminish the value of similar medals awarded during the same time period to members of the armed forces who served in active combat zones and military campaigns, such as Vietnam. Congress went on to pass similar legislation that issued a recognition certificate to qualified members of the military service in place of a medal. The governor stated that while such an award is admirable in its intentions, this method is not the best way to honor these veterans' service. The issuance of such a medal would have a significant financial impact during a time when New York needs to limit its expenses.

B. Veteran Program Consolidation Council (A.11650, Espailat; Veto Memo 103)

This bill would have established the Veterans Program Consolidation Council. This entity would have had the task of analyzing and making recommendations for existing veterans' outreach programs. The ultimate goal of this council was to improve the efficiency, effectiveness, and oversight of outreach efforts to veterans in New York State.

The Governor's veto message stresses the importance of two New York State Agencies the Division of Veterans' Affairs (DVA) and the Department of Labor (DOL). The Governor's message states that several of the activities of DVA and DOL make the Veteran Program Consolidation Council unnecessary. In the veto memo, he mentions that he is unaware of any significant problems with the way these agencies are performing their duties that warrants the creation of another entity. However, on November 11, 2008, the Governor issued Executive Order #12 that will establish the New York State Council on Returning Veterans and their Families. This council will be tasked with: maximizing and coordinating available resources and services to help returning veterans and their families to address physical and mental conditions; conducting education and outreach to ensure that veterans are aware of and have access to available benefits and physical and mental health services; identifying and eliminating barriers to the prompt and accurate diagnosis of veterans of physical disabilities, mental illness, and substance abuse problems and ensuring these individuals have access to resources and services; and increasing public awareness of the needs of returning veterans and their value to the community.

C. Veterans Reunification Study (A.11651, Espailat; Veto Memo 104)

This bill would have directed the Division of Veterans' Affairs (DVA) to conduct a study focused on the veterans that are returning home from recent deployments in the war on terror. The Division would have been required to evaluate the number of military personnel returning to New York State. The DVA's study would have also evaluated percentage of these veterans that

will be returning with injuries and disabilities. In addition, the bill would have required the DVA to compile a list of all federal and state veterans' programs. The DVA would then have been required to submit a report to the Governor, Speaker of the Assembly, and the President of the Senate detailing the results of the study and any recommendations they had.

In the Governor's veto message he states that some of the information that the study is requiring is already available on the DVA's website. The DVA obtains its information on returning troops from the federal government and that the information is also available to the legislature. The final point the governor stresses is that the Division of Veterans' Affairs already makes recommendations in its annual report to the legislature.

V. BUDGET HIGHLIGHTS

A. The Division of Veterans' Affairs

1. Veteran Counseling Service Program

The Division of Veterans' Affairs (DVA) operates three principal programs. The largest is the Veterans' Counseling Program, which provides counseling and claims services through a statewide network of State veterans' 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 service constituents through outreach to Veterans' Affairs medical centers, senior centers, state veterans' nursing homes and local nursing homes, and public assistance offices. State veterans' counselors help to ensure that active duty military personnel and their families receive the supplemental benefits to which they are now entitled.

State veterans' counselors receive professional training in veterans' benefits counseling. When successfully completed, a certificate is awarded to allow these counselors to assist individual veterans to file claims with the U.S. Department of Veterans' Affairs. Counselors receive on-going training, as well as technical information and manuals.

The 2008-09 State budget appropriated \$6,986,000 for services and expenses related to Veteran Counseling Services Program.

1-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, and organized militia, veterans, and their families about education, retraining, medical, and other rehabilitative services and facilities. They are also mandated to inform veterans and their families about federal, state, and local laws and regulations pertaining to their rights. In the budget for SFY 2008-2009, \$680,000 was sub-allocated for the payment of aid to County and City Veterans' Service Agencies.

1-b. Monroe Veterans Outreach Center

The 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 that provides occupational skills training. It also provides counseling services for successful reintegration of Iraq and Afghanistan war veterans into the community, short-term psychotherapy 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 2008-09 includes a sub-allocation of \$250,000 for the services and expenses related to the Veterans Outreach Center, Inc.

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 allows for 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 annuity as adjusted.

The 2008-09 State budget appropriated \$ 5,870,000 to this vital program. This increase for blind veterans represents a cost of living adjustment to their initial benefit. Up to \$15,000 of the appropriation may be transferred to state operations for postage costs associated with this program.

2-a. The Injured Veteran Service Dog Program

The Injured Veteran Service Dog program would provide trained service animals to assist veterans who have become disabled due to service in the military forces of the United States. These dogs are trained to complete simple tasks such as retrieving items out of reach, operating light switches, providing balance, providing assistance in opening certain doors, and several other basic living activities. They can also be trained to respond to sounds such as an alarm, smoke detector, doorbell, as well as other auditory stimuli.

In the 2008-09 State budget \$150,000 was sub-allocated for services and expenses related to the Canine for Combat Veteran program.

3. Veterans' Education Program

The Veterans' Education Program was previously under the jurisdiction of the Department of Education. In October 1997, the Governor requested that this federally funded program be moved to the jurisdiction of the DVA. The Veterans' Education Bureau approves and supervises educational institutions offering programs for veterans and other eligible persons. According to federal law, no veteran can receive G.I. educational benefits, such as those granted pursuant to the Montgomery G.I. Bill, unless the program in which the veteran is enrolled has been approved and is supervised by a state-approved agency.

The 2008-09 State budget included a \$1,854,000 appropriation to operate this program.

4. Administration Program

The Administration program is primarily composed of three programs, Supplemental Burial Benefits, Gold Star Annuity Benefits, and Merchant Marine Bonus Benefits. In addition to this the appropriation also provides for the funding for administrative personnel and operational expenses.

The SFY 2008-09 budget appropriates \$3,425,000 for the expenses associated with the Administration Program.

4-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 duty subject to hostile fire or imminent danger, as defined in 37 U.S.C. Section 310(a)(4).

In the SFY 2008-09 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.

4-b. Gold Star Parents

Gold Star Parents have made the ultimate sacrifice by giving up that which is most dear to them, thus advancing freedom for all at the cost of their children. These parents have inspired patriotic spirit in their children, encouraging them to serve for the greater good of our country. These parents who have lost children to the ravages of war are now unable to rely upon their children in their twilight years.

This appropriation is dedicated to 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 USC 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 2008-09 State budget sub-allocates \$637,000 to the payment of the Gold Star Parent annuities.

4-c. Merchant Marines

In 1947, the Legislature enacted § 9701 of the Unconsolidated Laws providing war bonuses to members of the armed forces who served during World War II or their next of kin. Four hundred million in bonds were floated to fund the payment of the war bonuses. In 1988, the Federal Government conferred veteran status upon Merchant Marines. Thereafter, the State of New York enacted legislation that also conferred veteran status upon Merchant Marines. Unfortunately, however, the time in which to apply for war bonuses expired on March 31, 1965. As a result, members of the Merchant Marines who served during the war were unable to claim their one time bonus.

The Merchant Marines were an integral and critical component of the war effort, transporting troops, artillery and supplies to combat zones. Although they were not considered military personnel, more than 8,000 Merchant Marines lost their lives during the war. This program will provide a one-time \$250 bonus to represent the gratitude New York has for its Merchant Marines.

The 2008-09 State budget has sub-allocated \$1,666,000 for the payment of this one time bonus to the Merchant Marines that have submitted on application by March 31, 2008.

B. Division of Military and Naval Affairs

1. Recruitment Incentive and Retention Program

Chapter 268 of the Laws of 1996 established 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 State budget for 2008-09 \$3,300,000 was included for this vital program.

2. NYS Military Museum and Veterans' Research Center

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

In the budget for SFY 2008-09, \$1,000,000 was appropriated for services and expenses related to youth academic and drug reduction programs, the New York State Military Museum and Veteran's Research Center, and the preservation of historic artifacts.

C. Department of Family Assistance

1. Veterans Homeless Assistance Programs

In 1986, the Assembly Veterans' Affairs Committee along with the Black and Puerto Rican Caucus initiated and secured funding for seven homeless Veterans Assistance Programs located throughout the State. These programs provide services, such as counseling for post-traumatic stress disorder and alcohol substance abuse. While these programs serve all veterans, the majority of the clients are Vietnam veterans and returning veterans from Iraq and Afghanistan. This year is the first time this program has received new funding since the year 2004.

In the 2008-09 State budget \$250,000 was appropriated for services and expenses related to the Homeless Veterans Outreach and Supportive Services program. This program is under the jurisdiction of the Office of Children and Family Services.

2. Pilot Project for Returning Veterans

The transition for servicemembers returning from active duty to civilian life is filled with changes and new challenges. A returning soldier, sailor, or marine will go from proudly serving their nation in the time of need to civilian life, which they may feel is full of obstacles.

This pilot program purpose is to demonstrate a comprehensive program that will help returning veterans re-enter civilian life. This program will be a community-based early intervention and outreach program for veterans at risk for behavior, health, and employment issues. This pilot program will be based in the New York City area. It will work with servicemembers during the pre- and post-deployment period.

This pilot program will also include a large counseling component. Warfare can profoundly affect an individual's mental well-being. In the ongoing conflicts in Iraq and Afghanistan there

are additional factors beyond that of traditional warfare that are placing added stresses upon the average soldier, such as long and multiple deployments, growing national sentiment against the war effort, and non-traditional combat methods being employed by enemy forces. These elements add to an already stressful situation. This pilot program will help to develop the infrastructure and skills needed to serve our veterans and will serve as an example for future programs that will eventually be needed once these conflicts have drawn to an end.

In the 2008-09 State budget \$250,000 was appropriated for services and expenses related to the Veterans Reintegration program. This program is under the jurisdiction of the Office of Temporary and Disability Assistance.

D. New York State Higher Education Services Corporation

The Veterans Tuition Awards Program

This year the current veterans' tuition assistance program was extensively modified. The new program will provide payments for tuition up to the undergraduate cost of education at the State University of New York. Veterans attending classes on a part-time basis will receive a pro-rated amount. To be considered eligible the veteran must have served in Vietnam, Afghanistan, or the Persian Gulf, and they must have received a discharge under honorable conditions. Additionally the veteran must be enrolled in either an accredited undergraduate program, graduate program, or an approved vocational training program.

The bill also expanded on the eligibility criteria for veterans to qualify for this benefit. In addition to veterans from the Vietnam, Afghanistan and Persian Gulf conflicts the newly expanded benefit will also include veterans that have received an Expeditionary Medal. This expansion will ensure that veterans that served in smaller conflicts such as Grenada and Lebanon will receive the same benefits as those who served in the larger conflicts.

In the 2008-09 State budget \$36,758,000 was appropriated to cover the entire costs associated with the states many scholarship programs. Included in this group appropriation is Veterans Tuition Awards Program which falls under Section 669-a of the Education Law. The Governor's budget estimates that \$2 million will be needed to support this particular scholarship.

VI. BILLS THAT PASSED THE ASSEMBLY ONLY

A. Veterans' Affairs Committee

1. Expansion of the Veterans' Alternative Tax Exemption (A.2603, Cusick; Passed Assembly)

This bill would have expanded the veterans' alternative tax exemption so that it can now apply to taxes levied by local school districts. The bill would allow the local school districts to conduct a public hearing regarding the tax exemption. After the hearing the governing body of the school district can then pass a resolution to provide the tax exemption. Qualified veterans living within the school district, that has passed the aforementioned resolution, would have the same tax exemption as they receive from their local tax district extended to their school district.

2. Exemption from Real Property Tax for a Person Certified To Receive Disability Pension (A.4696, Schroeder; Passed Assembly)

The bill would exempt from real property taxation real property owned by a person certified to receive a Department of Veterans Affairs disability pension, pursuant to 38 U.S.C., Section 1521, and allow an award letter from the Department of Veterans' Affairs to be submitted as proof of the disability.

3. New York State Veterans' Cemetery Operation and Maintenance Fund (A.7204-A, Ortiz; Passed Assembly)

This bill would have created a fund known as the "New York state veterans' cemetery operation and maintenance fund." The fund would have been under the joint custody of the commissioner of taxation and finance and the state comptroller. The bill would have also altered the personal income tax return forms to allow taxpayers to contribute additional money to the fund. The bill would have also ensured that any money in the fund is kept isolated and dedicated strictly for the operational and maintenance expenses of state veterans' cemeteries in New York.

B. Aging Committee

Expanded Definition of Head of Household (A.7244, Bing; Passed Assembly)

This bill would expand the existing definition of "head of household" that is being used for senior citizens' tax abatement for rent-controlled and rent-regulated property. The new definition would include individuals that are receiving disability compensation from the United States Department of Veterans' Affairs.

C. Governmental Employees Committee

1. Extended Deadlines for Veterans Seeking Civil Service Examination Credits (A.2398-A, Morelle; Passed Assembly)

Current law prohibits an individual who is placed on an eligibility list for additional civil service examination credits from applying for additional credits after the list has been generated. This bill would have allowed veterans who, after the eligibility list is generated, are deployed to an active combat zone to apply for additional credit due to their service up to two months after their honorable release from service.

2. Service Credit for Military Service (A.6318-C, Paulin; Governmental Employees)

This bill would remove the requirement that veterans applying to a public retirement system for service credit must have performed their military service during certain periods of active military engagement. Veterans are able to apply for up to three years of credit for the service they provided.

D. Governmental Operations Committee

Extend Military Leave for Public Employees (A.6533, Towns; Passed Assembly)

Current law provides that public employees that are ordered to military duty continue to receive their salary and/or other compensation for a period of time. This bill would provide public employees that are ordered to military duty an additional thirty days of payments. This would extend the current time period that they are reimbursed from thirty days or twenty-two working days to sixty days or fifty-two working days whichever is greater.

E. Local Governments Committee

Increased Municipal Support for Veterans' Posts (A.6572, Towns; Passed Assembly)

This bill would have allowed local town boards to appropriate an additional \$500 for a total of \$1,000 to support each post of a patriotic organization. In addition if the town does not have a post within its boundaries, but still has five or more citizens that belong to a post in an adjoining town then this bill would allow the town to appropriate an additional \$175 for a total of \$300 to support the post in the adjoining town. These appropriations are to be used to defray the costs of renting or maintaining an area for holding meetings.

F. Ways and Means Committee

New York State Veterans' Homes Fund (A.8259-A, Ortiz; Passed Assembly)

This bill would have created a fund known as the "New York state veterans' homes." The fund would have been under the joint custody of the commissioner of taxation and finance and the state comptroller. The bill would have also altered the personal income tax return forms to allow

taxpayers to contribute additional money to the fund. The bill would have also ensured that any money in the fund is kept isolated and dedicated strictly for state veterans' homes for the convenience of their residents in New York.

VII. BILLS REPORTED BY OTHER COMMITTEES THAT BECAME LAW

A. Alcoholism and Drug Abuse Committee

Expansion of the Geriatric Mental Health Planning Council (A.10934, Ortiz; Chapter 203 of the Laws of 2008)

This bill expands the Interagency Geriatric Mental Health Planning Council to provide additional focus on the area of chemical dependence. The bill also requires the council to include additional members from other agencies. These new members include the Director of the Division of Veterans Affairs and the Commissioner of Alcoholism and Substance Abuse Services. Furthermore, the bill requires that its annual reports and recommendations are sent to Director of the Division of Veterans Affairs and the Commissioner of Alcoholism and Substance Abuse Services.

B. Codes Committee

Disturbance of a Funeral (A.2385, Cusick; Chapter 566 of the Laws of 2008)

This bill expands existing criminal statutes that prevent an individual from creating an unreasonable disturbance at a religious service to also prohibit the disturbance of a funeral, burial or memorial service. The bill would prevent individuals from gathering within one hundred feet of any such service. The bill would also empower the attorney general or the local prosecutor's office to seek injunctive relief by preventing individuals from engaging in such activities.

C. Election Law Committee

Extension of Military Voting Laws (A.10088, Carrozza; Chapter 188 of the Laws of 2008)

This bill extends the provisions of law that allow for an increased time period for military ballots to be accepted and counted in the general election. The bill changes the expiration of this law from December 31, 2008 to December 31, 2009.

D. Governmental Employees Committee

Expansion of Civil Service Positions Available to Disabled Veterans (A.10846, Abbate; Chapter 340 of the Laws of 2008)

This bill allows for the expansion in the number of civil service positions set aside for disabled veterans under section 55-c of the Civil Service Law. The bill expands the number of positions from 300 to 500. These positions are reserved for qualified veterans who were disabled during their military service.

E. Governmental Operations Committee

Elimination of Court Fees Related to Service in New York's Organized Militia (A.4323, Magnarelli; Chapter 600 of the Laws of 2008)

This bill eliminates all court fees associated with certain civil actions or proceedings. All civil actions and proceedings, brought by a person who is an active member of the New York's organized militia, that relate to a dispute with active service in the organized militia shall have all associated court costs and filing fees waived.

Days of Commemoration (A.10521, Schimminger; Chapter 356 Laws of 2008)

In 1990 and 1991, hundreds of thousands of American servicemen and women defended America's interests during Operation Desert Shield and Operation Desert Storm. This legislation seeks to honor the veterans of Operation Desert Shield and Operation Desert Storm by establishing February 28th as Gulf War Veterans' Day, a Day of Commemoration.

Veteran Owned Business Seminars (A.11648, Destito; Chapter 387 of the Laws of 2008)

This bill would authorize the Division of Veteran Affairs to implement a series of seminars. These seminars would be conducted at least four times a year, at regional sites throughout the State. The goal of these seminars will be to advise veteran-owned business how to obtain procurement contracts from New York State agencies, municipalities, and authorities.

F. Health Committee

Extension of Medical Certification (A.10970, Eddington; Chapter 206 of the Laws of 2008)

This bill will allow the Commissioner of Health to extend an individual's certification as an emergency medical technicians, advanced emergency medical technicians or certified first responders if their certification is set to expire during the first six months after that individual is separated from military service. The temporary extension would last for twelve months after the individual is separated from military service.

G. Ways and Means Committee

Combat Zone Tax Exemption (A.6518-A, Cusick; Chapter 603 of the Laws of 2008)

This bill provides a complete tax exemption on any income earned by military personnel while they serve in a combat zone. For the purposes of this law a combat zone is designated by an executive order from the President of the United States.

**Real Property Tax Exemptions for Cold War Veterans
(A.9426, Paulin; Chapter 6 of the Laws of 2008)**

This bill makes amendments to the requirements that a Cold War veteran must achieve in order to be eligible for a real property tax exemption. The bill removes the stipulation that the veteran must have served for a period greater than one year. It also eliminates the prerequisite that the veteran must have received a Cold War recognition certificate authorized by the National Defense Authorization Act of 1998. Additionally, the bill removes the requirement that individuals receiving the tax exemption refile each year in order to continue to receive the exemption.

VIII. HONORING VETERANS THROUGH LEGISLATIVE RESOLUTIONS

A. 140th Anniversary of the First National Memorial Day Celebration (K 1809, Espailat)

Memorial Day was officially proclaimed on May 5, 1868, by General John Logan, National Commander of the Grand Army of the Republic, in his General Order No. 11. It was first observed on May 30, 1868, when flowers were placed on the graves of Union and Confederate soldiers at Arlington National Cemetery. New York State was the first State to formally recognize Memorial Day, then known as Decoration Day, as a holiday to honor our fallen veterans. In continuation of New York's rich tradition of honoring our fallen veterans this resolution helps to spread remembrance of those who have made the ultimate sacrifice for this state and the nation as a whole. "May 26, 2008, Memorial Day, will be solemnly marked throughout New York State and all states, as a day of mourning for all Americans who have given their lives in defense of our country, its beliefs, and the principles upon which it was founded."

B. The 100th Anniversary of the United States Army Reserve (K 1653, Morelle)

The United States Army Reserve origins began in 1908 with the foundation of the Medical Reserve Corps that was created to provide additional trained officers during a time of war. The program was further expanded in 1916 and 1920. Since World War I Army Reserve soldiers have served in every major conflict and even as peacekeepers and on humanitarian missions. The resolution thanks the members of the Army Reserve for their many accomplishments in the past and their continued service in the future.

C. Expeditious Citizen Applications for Members of the Armed Services (K 1461, P. Rivera)

This resolution supports putting into place programs and policies that serve to expedite the citizen application process of immigrants serving in the armed forces of the United States. In recent years over 7,000 veterans have been discharged and still have applications pending. The resolution proposes the outline of a program that would posthumously award immigrants who died during military service with citizenship. This program would serve both to honor the person's sacrifice and to provide benefits to the families of these courageous individuals who sacrificed themselves to help serve the country.

D. The Post-9/11 Veterans Educational Assistance Act of 2008 (K 1928, Espailat)

This resolution urges The United States Congress to pass H.R. 5740. This bill would provide additional funds for increased education benefits including total reimbursement for tuition, fees, books and a stipend for living expenses. Education has been used as a powerful tool to help veterans transition back into civilian life. Furthering their education will provide them with the necessary knowledge and skills that will create new opportunities for their futures in civilian life.

**E. The 41st Anniversary of the USS FORRESTAL Disaster of July 29, 1967
(K 1865, Hevesi)**

The USS FORRESTAL was the first Super Aircraft Carrier produced by the United States and began missions of the coast of Vietnam on July 25, 1967. This resolution revisits the tragedy that occurred on the USS FORRESTAL on July 29, 1967 during the Vietnam War. On this fateful day a rocket accidentally launched from a grounded aircraft striking external fuel tanks on the deck of the ship. The resulting explosions and fires spread to additional ordinance and fuel supplies. This caused a chain reaction that spread fires around the ship causing massive damage and the loss of life. Due to the heroic actions on the part of the crew many lives were saved and the fires were eventually stopped before the ship was permanently destroyed. The occurrences on this day helped to shape modern Naval damage control policies.

F. Flag Day and the Pledge of Allegiance (K 2009, Espailat)

This resolution pays tribute to both Flag Day and the Pledge of Allegiance. The resolution presents much of the unique lineage and history associated with the United States Flag. The flag was used as an important symbol to rally and unite the people of this country. It helped to push towards a new future one in which the American people had a common goal of liberty from oppression and freedom of thoughts and ideas. The flag serves as a regular reminder of the origins of the United States both physical and ideologically. The Pledge of Allegiance also serves to remind us of the tenants that the United States was founded on and specifically pays homage to the flag.

G. Full Funding for Veterans' Healthcare Services (K 1221, Koon)

A report put out in 2005 by a Government Accountability Office sited that the Veterans Administration was experiencing a lack of funding and a shortage of staffing during a period where an increasing backlog of new veterans are returning home and seeking services. A former Secretary of the Department of Veterans Affairs publicly stated that they are experiencing a rapid increase in the veteran population and are struggling to meet the demand for promised healthcare services. This resolution urges Congress to support mandated funding for veterans' healthcare services.

**H. The 250th Anniversary of the French and Indian War at Fort Ticonderoga
(K 1613, Sayward)**

This resolution commemorates one of the unique events and locations in New York that helped to define the nation as we are today. Fort Ticonderoga served as the site of the fiercest battle of the French and Indian War. Additionally, the waterways and frontier regions of northern New York served as the stage for this conflict as France and England battled for control of the newly discovered continent. Over the next few years celebrations will take place in the upstate area to commemorate this historic conflict in American history.

I. The 75th Anniversary of the Canandaigua VA Medical Center (K 1176, Errigo)

This resolution honors the profound dedication and service that the Canandaigua Veterans Administration Medical Center has provided to veterans since its opening. "It is the sense of

this Legislative Body that when institutions of such noble aims and accomplishments are brought to our attention, they should be celebrated and recognized by all the citizens of the great State of New York;" The resolution explores the history of the founding of the VA Medical Center during the Great Depression. During its history the Canandaigua Veterans Administration Medical Center has served thousands of injured veterans from all of the major conflicts that our nation has been through.

J. Remembrance of the Pearl Harbor Bombing (K 2062, McDonough)

This resolution is in remembrance of the lives lost on December 7, 1941 when the Imperial Japanese Navy launched a surprise attack on Pearl Harbor. During the attack over 3,000 people lost their lives. Additionally many aircraft, ships, and structures were destroyed and damaged. This attack was the turning point that launched the United States into active military participation in World War II.

IX. HONORING SERVICEMEN AND WOMEN THROUGH LEGISLATIVE RESOLUTIONS

A. Honoring Chief Master Sergeant Wendy S. York on Her Retirement after Many Years of Distinguished Service (K 1149, Magee)

For the past thirty-three years Chief Master Sergeant Wendy York has faithfully served the United States Air Force Reserve. Chief Master Sergeant York enlisted in the United States Air Force on December 12, 1974 receiving her basic military training at Lackland Air Force Base, Texas, and her technical training at Sheppard Air Force Base, Texas. During her distinguished military career, Chief Master Sergeant Wendy S. York flew over 2,650 hours in nine types of aircraft, administered medical care in the air to over 5,000 aerovac patients, and was deployed as superintendent of nursing services in the command element for medical operations involving returning patients from Iraq and Afghanistan. This resolution honors Chief Master Sergeant Wendy S. York on her retirement after many years of distinguished service.

B. Honoring Retired Chief Master Sergeant Dennis Richardson upon the occasion of receiving the Air Force Cross (K 1599, Sweeney)

Former Chief Master Sergeant Dennis Richardson was a door gunner on a rescue helicopter that flew to save downed pilots. During one of these rescue missions Chief Master Sergeant Richardson exposed himself to enemy fire by leaning out of the helicopter in order to fire his weapon on advancing enemy troops. During the process he was wounded, but his efforts allowed the helicopter to escape without serious incident. During his career he spent thirty years from 1975 to 2005 participating in rescue missions. For his dedicated and self-sacrificing service Former Chief Master Sergeant Dennis Richardson is receiving the Air Force Cross the second highest award presented in the Air Force. This resolution honors retired Chief Master Sergeant Dennis Richardson upon the occasion of receiving the Air Force Cross.

C. Honoring Colonel Anthony B. Basile on His Retirement from the New York Air National Guard (K 1587, Magnarelli)

Colonel Basile has served in the New York Air National Guard for over twenty-five years. He has distinguished himself receiving many major awards and decorations. During his tenure he has flown more than 4,000 hours during sixty-seven combat missions including fifty-one during Operation Desert Storm. Over his career he received extensive military training that included Squadron Officer School, Air War College, Air Command and Staff College, the Chief of Safety course, the Safety Program Manager course, the Aircraft Mishap Investigation course, and the Operational Risk Management course. Since May 2, 2003 Colonel Anthony Basile has served as the Wing Commander of the 174th Fighter Wing of the New York Air National Guard. During his time in this position he directed all of the activities of the New York Air National Guard at Hancock Field in Syracuse, New York. This resolution honors Colonel Anthony B. Basile on his retirement from the New York Air National Guard.

D. Honoring the Life of Ralph U. DeMarco (K 1430, Seminerio)

This resolution pays tribute to the life of Ralph U. DeMarco. Ralph DeMarco served from 1942 to 1945 in the Army Air Corps and received a bronze star for his Service in Africa, Italy, France, and Germany during World War II. He went on to serve as a leader for the Veterans of Foreign

Wars and diligently pursued an agenda to ensure that veterans received the support they deserved and needed. Later on Mr. DeMarco served as the President and Executive Legislative Director of the New York State Council of Veterans Organizations. This resolution honors the life of Ralph U. DeMarco who was an outstanding veterans' advocate.

E. Honoring United States Army Sergeant James T. Hackemer for his courageous actions during Operation Enduring Freedom (K 1456, Quinn)

Sergeant James T. Hackemer enlisted in 2000 before he had graduated from Gowanda High School. After graduation he went on to serve two tours of duty in Iraq and also served in Kosovo. He served as a member of the 230th Military Police Company. While traveling in an armored vehicle with his fellow soldiers they were struck by a roadside bomb which injured both Sergeant Hackemer and his fellow soldiers. This Assembly resolution seeks to honor to the integrity of Sergeant Hackemer and his fellow soldiers who are willing to place themselves in harms way to serve this state and their country.

F. Honoring Major General Robert L. Wolf upon the occasion of his installation as Commander of the New York State Naval Militia (K 1297, Molinaro)

Major General Robert L. Wolf graduated from Ithaca College and began his military career as a Second Lieutenant in the United States Marine Corps in 1973. After attending the Basic School in 1974, Second Lieutenant Wolf was assigned duties as a Rifle Platoon Commander and later as a Rifle Company Executive Officer with 3rd Battalion 2nd Marines. During this period, he took part in Operation Fluid Drive, the Noncombatant Evacuation Operation in Beirut, Lebanon. Second Lieutenant Wolf was then assigned to Marine Barracks Bermuda, where he was promoted to Captain and served as the Executive Officer. After this Captain Wolf returned for training both in the fields of military strategy and economics. He went on to instruct many individuals in the United States Naval Academy in the field of economics. Since then he has participated in many operations providing relief and support throughout the state. On February 15, 2008 he was installed as Commander of the New York State Naval Militia. This resolution honors Major General Robert L. Wolf upon the occasion of his installation as Commander of the New York State Naval Militia.

G. Honoring Rear Admiral Robert A. Rosen upon the occasion of his retirement as Commanding Officer of the New York State Naval Militia (K 1298, Molinaro)

Rear Admiral Robert A. Rosen began his career in 1959 serving for the New York Air National Guard. After twenty-one years in the Air National Guard and Air Force Reserve, including serving as United States Air Force Academy Liaison Officer for the New York City area and a liaison officer for the Secretary of the Air Force to the Chief of Information of the United States Navy, Rear Admiral Robert A. Rosen transferred to the United States Naval Reserve in 1980 at the request of the Secretary of the Navy. In 1990, Rear Admiral Rosen retired from the United States Naval Reserve with the rank of Captain, after serving more than 31 years in the Reserve Forces of the United States. On June 1, 2007, Rear Admiral Robert Rosen, returned to the Retired Reserve after having been recalled to active service for the past three years to serve as the Commanding Officer of the New York Naval Militia. This resolution honors Rear Admiral Robert A. Rosen upon the occasion of his retirement as Commander of the New York State Naval Militia

H. Honoring the Service of Joseph A. Marra (K 1343, Giglio)

This resolution honors the service of Joseph A. Marra who served as a soldier in the United States Army during World War II. He fought in France, Belgium, and Germany and in the Battle of the Bulge. He was wounded towards the end of the conflict by shrapnel. Though the conflict is long past the military has deemed it appropriate to award Mr. Marra with the bronze star in honor of the service he provided for his country. This resolution serves to highlight and honor that service of Joseph Marra and pay tribute to the award he received.

I. Honoring Sergeant Brian Coons upon the Occasion of his Designation for Special Recognition (K 2082, Molinaro)

Sergeant Brian Coons has served for over fifteen years in the Army National Guard. During his service he has participated with Combined Joint Task Force Phoenix, made up of almost 8,000 military and civilian personnel, with the mission to train the Afghan National Army and Police. In addition to this he has engaged in humanitarian operations designed to help the Afghani people stabilize and began to redevelop their country. Sergeant Coons has mentioned possible future work developing pump-operated wells to provide the local residents with a source of clean drinking water. This Assembly resolution seeks to honor such dedicated service and recognizes Sergeant Brian Coons' commitment to improving the lives of those who are suffering and need help.

J. Mourning the Untimely Death of Several Men and Women Who Died in Iraq and Afghanistan in the Defense of their Country

Six resolutions were adopted to honor the men and women who were residents of New York State serving in the United States Armed Forces and were killed in Iraq and Afghanistan.

Sergeant Daniel J. Shaw
Staff Sergeant Justin R. Whiting
Sergeant Christopher Curtis Simpson
Specialist Shaine Lynn
Lance Corporal Jordan Haerter
Lance Corporal Thomas Michael Bishop, Jr.

K 1360 Schroeder
K 1452 Crouch
K 1535 Townsend
K 1687 P. Lopez
K 1688 Thiele
K 2115 Lupardo

**X. MEMORIALIZING THE GOVERNOR TO PROCLAIM
VETERAN-RELATED EVENTS**

A. Memorializing Governor David A. Paterson to Designate the Week Prior to Veterans Day as Veterans Awareness Week (K 2074, Sweeney)

Veterans Day, November 11th, is a national holiday set aside for Americans to pay homage to the veterans who have served our nation in the Armed Forces. The true meaning of our Veteran's Day may not receive enough attention on the one-day holiday set aside for this purpose. Many feel a weeklong period is needed. This Assembly resolution expounds on this idea by asking the governor to dedicate the entire week prior to Veterans Day as Veterans Awareness Week. During this week schools, veterans organizations, and the general public could more broadly focus on, and show their appreciation for our veterans.

B. Memorializing Governor David A. Paterson to Establish a Youth Program Known as the National Guard Youth Challenge Program (K 1773, Peoples)

Section 32 U.S.C. 509 authorizes the creation of a program known as the National Guard Youth Challenge Program. This program targets at-risk-youth that are high school dropouts, 16 to 18 years of age who are unemployed, drug-free, and without felony convictions or pending charges. The core components of the Challenge Program are citizenship, academic excellence, life-coping skills, community service, health and hygiene skills training, leadership, and physical training. The five-month residential phase of the Challenge Program, which includes the pre-challenge phase, is followed by a year-long mentoring relationship with a specially trained member from each youth's community. This resolution urges Governor Paterson to establish a youth program in connection to the National Guard.

C. Memorializing Governor David A. Paterson to Proclaim May 1, 2008, as Cold War Victory Day in New York State (K 1764, Rabbit)

The Cold War was a long and costly struggle for freedom among the forces of democratic nations, led by the United States. The Cold War began after World War II with the threat of world domination in Europe and Asia, and was a unique war marked by periodic confrontations between the East and the West. The end of the longest undeclared war in United States history began with the fall of the Berlin Wall in November 1989, and culminated with the collapse of the Soviet Union's Communist government in December 1991. New York veterans valiantly served in our Nation's armed forces during this long conflict, some sacrificing their lives, others becoming disabled. This resolutions memorializes Governor Paterson to proclaim May 1, 2008 as Cold War Victory Day.

XI. OTHER ACTIVITIES BY THE COMMITTEE

A. Subcommittee on Women Veterans

The Subcommittee on Women Veterans sponsored the 14th annual Women Veterans' Recognition Day in the Assembly. This year the Subcommittee honored the many accomplishments of women veterans and the importance of recognizing our military. The history of women's service in America's military conflicts is as old as our independence and as timeless as our reverence of freedom and democracy. Historically, women's involvement in the military has surged in wartime. According to the United States Census there are 1.7 million women veterans. During World War II over 400,000 served in uniform. More than 180,000 women have served in Iraq and Afghanistan. Women have made up about eleven percent of the force deployed in Iraq and Afghanistan. Two women, Army National Guard Sgt. Lee Ann Hester in Iraq, and Army Specialist Monica Lin Brown in Afghanistan have been awarded the Silver Star for heroism in combat. Expressly honored were twelve female members of the New York Army National Guard and twelve female members of the New York Air National Guard, from the Capital Region, most of who have served in a combat zone.

Assembly Resolution K 1957 by Assemblywoman Donna Lupardo, the Chair of the Subcommittee on Women Veterans, was adopted memorializing Governor David A. Paterson to proclaim June 12, 2008, as "Women's Veterans Recognition Day" in the State of New York.

The subcommittee also sponsored two other resolutions.

1. Commemorating the 60th Anniversary of the Signing of the Women's Armed Services Integration Act of 1948 (K 1963, Lupardo)

On June 12, 1948 President Harry S. Truman signed into law the Women's Armed Service Integration Act of 1948 (P.L. 625-80th Congress). This law insured that women would have a permanent place in the Army, Navy, Air Force and Marine Corps. This resolution commemorates the Sixth Anniversary of the signing of the Act.

2. Memorializing the United States Congress to Pass S.2799, Women Veterans Health Care Improvement Act of 2008 (K 1852, Lupardo)

Among the issues women disproportionately face upon returning from combat duty are the effects of Military Sexual Trauma, the difficulties of being thrust into a care-giving role, child birth, and the difficulties of being less likely to have military service recognized or appreciated. A Senate bill, S 2799, authorizes two studies of women that have served in Iraq and Afghanistan to assess the effects of those conflicts on their physical, mental, and reproductive health. One study would be performed by the Department of Veterans Affairs (VA) in cooperation with the Department of Defense and a separate study would be performed by the Institute of Medicine. The bill also requires the Secretary of the VA to conduct a comprehensive assessment of the barriers women currently face in accessing care through the VA. Another provision of the measure requires the VA to implement a program to train, educate, and certify VA mental health professionals to care for women with Military Sexual Trauma (MST) and Post-Traumatic Stress Disorder (PTSD) using evidence-based treatments. The resolution urges the United States Congress to pass S.2799, Women Veterans Health Care Improvement Act of 2008.

B. Department of Veterans Affairs On-Line Claims Applications

The federal Department of Veterans Affairs (VA) now accepts from veterans, survivors and other claimants filing initial applications for disability compensation, pension, education, and vocational rehabilitation and employment benefits without the additional requirement to submit a signed paper copy of the application. Normal development procedures and rules of evidence will still apply to all applications done on line. The web address is www.va.gov/onlineapps.htm

C. Wounded Warrior Resource Center Established

The Department of Defense announced that the Military One Source service has established a Wounded Warrior Resource Center telephone number and e-mail address for service members and their families. Service members and their families can now call 1-800-342-9647 or e-mail wwrc@militaryonesource.com to request support.

D. Department of Veterans Affairs Mobile Counseling Centers

Vets Centers, operated by the federal Department of Veterans Affairs' Readjustment Counseling Service, provide non-medical readjustments counseling in easily accessible, consumer-oriented facilities, addressing the social and economic dimensions of post-war needs. This includes psychological counseling for traumatic military-related experiences and family counseling when needed for the veteran's readjustment. The VA has recently put into service fifty mobile counseling centers. The team leader at each Vet Center will develop an outreach plan for use of mobile counseling center within that region, not being limited to the traditional catchment area of a particular Vet Center. The 38-foot motor coach will have spaces for confidential counseling, will carry Vet Center counselors and outreach workers to events and activities to reach veterans in broad geographic areas, supplementing the current Vet Centers. One of the vehicles will be assigned to the Watertown Vet Center.

E. Public Hearings

On November 19, 2008, a public hearing on veterans employment was held. It was sponsored by the Assembly's Standing Committees on Veterans' Affairs, Labor, Governmental Employees, and the Subcommittee on Women Veterans. Additionally the Assembly's Task Force on People with Disabilities and the Legislative Commission on Skills Development and Career Education assisted in establishing the hearing. The hearing's intent was to examine the various state programs providing employment assistance to veterans and disabled veterans. Representatives from the Division of Veterans' Affairs, Department of Labor and Department of Civil Service testified.

XII. OUTLOOK FOR 2009

The Assembly Standing Committee on Veterans' Affairs is looking forward to a productive year in 2009. The Committee will continue to work with the Division of Veterans' Affairs, 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:

- Reintegration of recently returning veterans from areas of combat;
- disabled veteran treatment, rehabilitation, and reintegration back into their communities;
- homelessness amongst an ever increasing veteran population;
- the development of a veteran court and judicial system;
- increase the outreach to women veterans to better identify and respond to their needs;
- increase the outreach to older veterans;
- devise a plan to provide for long-term health care needs for veterans; and
- the provision of services for veterans who suffer from alcohol and substance abuse.

The Committee will continue to strive to uphold its responsibilities by addressing the needs of New York State's approximately 1.25 million veterans and their families.

APPENDIX A

**2008 SUMMARY OF ACTION ON ALL BILLS REFERRED TO
The Assembly Committee on Veterans' Affairs**

<u>Final Action</u>	<u>Assembly Bills</u>	<u>Senate Bills</u>	<u>Total Bills</u>
<u>Bills Reported With or Without Amendments</u>			
To Floor; Not Returning to Committee	1	0	1
To Floor; Recommitted and Died	0	0	0
To Ways & Means Committee	20	0	20
To Codes	1	0	1
To Rules Committee	0	0	0
To Judiciary	0	0	0
Total	22	0	22
<u>Bills Having Committee Reference Changed</u>			
Total	0	0	0
<u>Senate Bills Substituted or Recalled</u>			
Substituted	0	0	0
Recalled	0	1	1
Total	0	1	1
<u>Bills Defeated in Committee</u>	0	0	0
<u>Bills Never Reported, Held in Committee</u>	19	0	19
<u>Bills Never Reported, Died in Committee</u>	44	7	51
<u>Bills Having Enacted Clauses Stricken</u>	2	0	0
<u>Motions to Discharge Lost</u>	0	0	0
<u>Total Bills in Committee</u>	87	8	95
<u>Total Number of Committee Meetings Held</u>	5		

APPENDIX B

LIST OF BILLS THAT PASSED BOTH HOUSES AND WERE SIGNED INTO LAW

Bill No.	Sponsor	Chapter	Description
A 4262-A	Cusick	503	Authorizes municipalities to adopt a local law or ordinance allowing the assessor to transfer and prorate a real property tax exemption granted to a veteran or the spouse or unremarried surviving spouse of a veteran when such person sells the property receiving the exemption and purchases a property within the same municipality
A 9731	Titone	90	Designates March 29 th as a day of commemoration to honor all of the military personnel that served during the Vietnam War.
A 9865	Espaillet	143	Extends the deadline that individuals may file to recover damages for injury or death related to exposure phenoxy herbicides more commonly known as Agent Orange.
A 11050-A	Lavine	495	Allows Nassau County to offer the Cold War real property tax exemption despite the requirement that all tax exemptions be in place ninety days prior to the taxable status date
A 11201-A	Espaillet	133	Extends the expiration of deferred repayment benefit. This benefit allows military personnel to suspend repayment of loans from the retirement system while engaged in active military service
A 11493	Walker	384	Clarifies existing state law to clearly state what qualifications members of Reserve components need to meet in order to qualify for the Veterans' Alternative Tax Exemption

APPENDIX C

LIST OF BILLS THAT PASSED BOTH HOUSES AND WERE VETOED

Bill No.	Sponsor	Veto Memo	Description
A 5156-A	Ortiz	20	Authorizes the Governor to issue a medal to qualified veterans that served during the Cold War
A 11650	Espaillet	103	Establishes the Veterans Program Consolidation Council that would oversee existing veteran outreach programs in order to make them more efficient and effective
A 11651	Espaillet	104	Directs the Division of Veterans' Affairs to conduct a study to determine the number of veterans that will be returning from recent deployments and the needs that they will have once they return home

APPENDIX D

BILLS THAT PASSED THE ASSEMBLY ONLY

BILL	SPONSOR	DESCRIPTION
A 2603	Cusick	Alters the veterans' alternative tax exemption by allowing local school districts to also provide the same exemption to local school taxes if passed by a local law
A 4696	Schroeder	Exempts from real property taxation real property owned by a person certified to receive a Department of Veterans Affairs disability pension and allow an award letter from the Department of Veterans' Affairs to be submitted as proof of the disability
A 7204-A	Ortiz	Establishes the "New York state veterans' cemetery operation and maintenance fund"