



NEW YORK STATE ASSEMBLY

A N N U A L

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R E P O R T



**Committee on
Veterans' Affairs**

Phil Ramos, Chair

SHELDON SILVER, SPEAKER



PHILIP RAMOS
Member of Assembly
6th Assembly District

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STATE OF NEW YORK
ALBANY

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Subcommittee on
Volunteer Emergency Services

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Committee on Economic Development,
Job Creation, Commerce and Industry
Committee on Education
Committee on Housing
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Students with Special Needs
Black, Puerto Rican, Hispanic &
Asian Legislative Caucus
Puerto Rican/Hispanic Task Force

December 15, 2012

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 2012 Annual Report of the New York State Assembly Standing Committee on Veterans' Affairs.

Several significant pieces of legislation became law this year, including legislation that extends the deadline for filing suits against the producers of Agent Orange for those persons whose injury or death was caused by contact with or exposure to phenoxy herbicides and who served as members of the U.S. Armed Forces in Indo-China from December 22, 1961, through May 7, 1975. Agent Orange is a herbicide, which has been found to cause many different diseases in veterans who served during the conflict in Vietnam both on the ground and off shore.

Some of the other measures enacted into law this year include the requirement for the Division of Veterans' Affairs to create a veterans' employment portal to help veterans obtain information and services regarding employment and an interagency program to improve outreach, assessment, and care for veterans and their families when veterans have mental health and/or substance abuse problems. The legislature also passed a bill to promote and protect military monuments.

While many of our legislative goals were achieved this past session, much more remains to be done. In 2013, the Committee will focus on veterans' reintegration into civilian life and creating employment opportunities for veterans returning from service in Iraq and Afghanistan. The Committee will also 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,

Philip R. Ramos
Member of Assembly

ANNUAL REPORT

NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON VETERANS AFFAIRS

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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. This number includes over 67,000 women veterans who volunteered to serve in the military. Their jobs have ranged from nurses to switch board operators to some combat jobs such as pilots. The Committee's work seeks to safeguard programs and promote 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 New York State statutes, 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 New York 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, educational assistance for certain veterans and their family members, and a state veterans nursing home program.

This past legislative session, the Committee held six meetings at which it considered bills. Four bills passed both houses of the Legislature; three were signed into law, and one was 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 Transportation, Health, Government 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. 2012 LEGISLATIVE HIGHLIGHTS

A. Agent Orange Extender (A.9104, Ramos; Chapter 69 of the Laws of 2012)

Dioxin is a chemical contaminant that was contained in Agent Orange, an herbicide used for defoliation in Vietnam from 1962 until 1971 as well as in demilitarized zones in Korea from 1968 to 1969 and in Fort Drum, New York, in 1959.

Agent Orange received its name from the orange paint 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 the enemy 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 to Agent Orange may be very high.

Since the time this statute of limitation was first enacted in 1981, additional diseases and/or conditions have been recognized by the federal Department of Veterans Affairs to be associated with Agent Orange. These include, but are not limited to: Hodgkin's disease, prostate cancer, adult-onset diabetes mellitus (Type II), Parkinson's disease, ischemic heart disease, hairy-cell leukemia, chloracne (skin disease), multiple myeloma, Non-Hodgkin's lymphoma, respiratory cancers, and soft-tissue sarcoma. There is also suggestive evidence of a relationship between hypertension and herbicide exposure.

In 1981, legislation was enacted to allow former members of the armed forces to initiate action to recover damages for 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 15, 2014, the deadline for filing suits against the producers of Agent Orange. Those persons whose injury or death was caused by the contact with or exposure to phenoxy herbicides and who served as members of the U.S. Armed Forces in Indo-China from December 22, 1961, through May 7, 1975, may apply.

B. Veterans Employment Portal (A.8932-A, Scarborough; Chapter 269 of the Laws of 2012)

Having served and defended our nation, veterans are well-trained, highly skilled, and will add value to any career path they take after military service. But today's veterans face unique challenges. As of July 2012, the unemployment rate was 6.9 percent and 8.9 percent for post-9/11 veterans.

These veterans tend to be young and many worked in sectors that were among the hardest hit by the recession. Post-9/11 veterans were more likely than the general population to be employed in mining, construction, manufacturing, transportation, and utilities, all industries that experienced significant drops in employment during 2008-2009. As we end the conflicts in Iraq and Afghanistan, over one million service members are projected to leave the military between 2011 and 2016.

This chapter requires the Division of Veterans' Affairs to provide information regarding resources available to assist veterans in obtaining employment by maintaining a veterans' employment portal on the division's website.

The portal shall provide virtual links to appropriate governmental programs on the federal and state levels including but not limited to the United States Department of Labor and the New York State Department of Labor.

**C. Veterans Memorials Change in Status Act
(A.9648-A, Paulin; Chapter 439 of the Laws of 2012)**

Currently, there is no mechanism to adequately protect veterans' military monuments from haphazard destruction of or changes to such property. These memorial sites are visible symbols honoring those who have served in the military.

The purpose of this chapter is to allow municipal corporations to adopt a local law, or, in the case of a school district or board of cooperative education services, a resolution to authorize a change in status of a military monument or military memorial that is under their jurisdiction. The statute defines key terms such as "Military Monument" and "Change in Status" so that there is a clear understanding of the intent by all parties involved in the process. Prior to a change in status of a military monument or military memorial, the legislative body or school district or BOCES has to authorize the change by a two-thirds vote of its members. A public hearing also would be required.

**D. Veterans' Mental Health
(A.9415, Magnarelli; Chapter 463 of the Laws of 2012)**

The purpose of this chapter is to direct the New York State Veterans' Affairs Commission to develop and update, in consultation with the Office of Mental Health and the Department of Labor, a state interagency plan to improve outreach, assessment, and care for veterans and their families for mental health and/or substance abuse problems.

This legislation will be amended by a chapter agreed to by the Governor and the Legislature to focus on strengthening information available online to more readily and effectively connect veterans to resources. (Approval Message No. 15; Chapter 463 of the Laws of 2012)

III. CONSTITUTIONAL AMENDMENTS

A. Additional Credit for Disabled Veterans

A. 2088 (Thiele), First Passage, Both Houses

This concurrent resolution would amend the state constitution to allow a veteran who has been promoted from an eligible civil service list on which he or she was allowed additional credit for military service and who, subsequent to the appointment, became disabled, to acquire ten additional credit points, less the number of additional credit allowed for the prior appointment. This amendment would benefit individuals who, through no fault of their own, were not classified as a veteran with disabilities at the time of their first appointment.

Passage of this amendment by both Houses of the Legislature this year is its first passage. The amendment shall be referred to the next legislative session for second passage before being submitted to the people for approval.

IV. VETOES OF NOTE

A. Veterans' Mental Health (A.2102-A, Lavine; Veto Memo 131)

This bill would require the Division of Veterans' Affairs to conduct a study and develop a plan to identify and ensure treatment for veterans with post-traumatic stress, traumatic brain injuries, and other brain-related injuries. The Division would be required to work with the Department of Mental Health and acquire statistics from the Department of Corrections and community services on the inmate population.

In his veto message, the Governor supported the bill's important overall objective of treating veterans with PTSD, TBI, and other injuries related to military service. However, he concluded that the Division of Veterans' Affairs does not have the capacity or resources to implement this measure and vetoed the bill.

V. BUDGET HIGHLIGHTS

A. Division of Veterans' Affairs

1. Veteran Counseling Service Program

The Division of Veterans' Affairs operates three principal programs. The largest is the Veteran Counseling Services Program, which 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 constituents 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 to 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. 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.

In State fiscal year 2010-11, new claims for federal benefits that provide direct assistance to veterans and their families generated more than \$108 million in new and recurring benefits that provide for compensation and pension payments for disabled and low-income veterans and dependents. The Division's accredited counseling staff is responsible for securing and maintaining a substantial portion of the \$1.5 billion in federal VA benefits paid annually to qualified veterans and their dependents in New York State.

The SFY 2012-13 State budget appropriated \$5,322,000 for services and expenses related to the Veterans Counseling Program in the State Operations Fund and \$9,076,000 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 families about federal, state, and local laws and regulations pertaining to their rights.

The State budget for SFY 2012-13 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 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 2012-13 includes 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 certified veterans counselors who help discharged veterans navigate the myriad of benefits available.

The State budget for SFY 2012-13 includes a sub-allocation of \$50,000 for additional services and expenses of the Buffalo Service Office in Aid to Localities funding. This was a legislative addition to the budget proposed by the executive.

The State budget for SFY 2012-13 includes 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.

The SFY 2012-13 budget includes a sub-allocation of \$25,000 to the Vietnam Veterans of America New York State Council in Aid to

Localities funding. This is 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 2012-13 budget appropriated \$6,200,000 to this program in Aid To Localities funding. Up to \$15,000 of the appropriation may be transferred to state operations for postage costs associated 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 2012-13 budget appropriates \$1,966,000 for the expenses associated with the operation of this program in State Operations 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 2012-13 budget appropriates \$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 2012-13 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 2012-13 budget sub-allocates \$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 federally funded state veterans' cemetery pursuant to a project approved by the United States Department of Veterans Affairs. This appropriation is made to a State Operations funds account.

The Legislature under Article VII legislation (Chapter 57 of the Laws of 2012) Part W adopted a proposal to authorize and direct the Division of Veterans' Affairs to apply for a federal grant for the legislation of a state veterans' cemetery. A county is permitted under the measure to contract with the Division to operate and maintain such a cemetery. Furthermore, if a contracting county fails in the operation of such a cemetery, the Division is required to fulfill the county's obligations.

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 budget for SFY 2012-2013, \$3,300,000 was included for this vital program in the State Operations funds account.

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 2012-13, \$261,000 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, in the budget for SFY 2011-12, \$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 for nonpersonal service in State Operations funds.

C. New York State Higher Education Services Corporation

Various Veterans and Military-Related Tuition Awards Programs

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, 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 2012-13 budget, \$43,256,000 was appropriated to cover the entire costs associated with the State's many scholarship programs, including the veterans and military-related programs.

D. State Veterans Home Program

There are five State veterans' homes serving one million veterans of New York State. The New York State Veterans' Homes Program has 1,220 beds in five locations throughout the State. State veterans' homes provide comprehensive long term care services, including short term rehabilitation, Alzheimer's and dementia care, and palliative and end of life care.

The New York State Veterans' Homes program has two sponsoring agencies, the State University of New York (SUNY), which operates the Long Island State Veterans' Home at Stony Brook University and the Department of Health (DOH) which operates: a New York State home for veterans and their dependents at Oxford; the New York State home for veterans in the city of New York (St. Albans); the New York State home for veterans in western New York (Batavia); and the New York State home for veterans in the lower-Hudson Valley (Montrose).

The executive budget recommended a ten percent cut to the funding for each state veterans' nursing home for the operating budget years of 2011-2012 and 2012-2013.

The legislature restored \$4.1 million to the Long Island Veterans' Home. It further restored \$6.8 million to mitigate reductions to four state-operated veterans' nursing homes under the jurisdiction of the New York State Health Department.

Sweeps of \$884,000 funds from the State University Income Fund and the Long Island Veterans' Home Account to the general fund for a veterans' nursing home and patient care at the State University of New York at Stony Brook were rejected by the Legislature.

**E. Department of Mental Health
Office of Mental Health**

Funds the continuation and expansion of the Veterans Mental Health Training initiative to be conducted by the Medical Society of the State of New York, the New York State Psychiatric Association, and the National Association of Social Workers, New York State Chapter, that shall include services and expenses for the development of an accredited education and training program for primary care physicians and physicians specialists on the signs, symptoms, diagnosis, and best practices for treating the health and mental health disorders of returning combat veterans and associated conditions affecting family members of such veterans.

The SFY 2012-13 State budget appropriated \$500,000 for services and expenses related to veterans' mental health services provided through the Department of Mental Health.

F. Empire State Development Corporation (ESDC)

The SFY 2012-13 State budget appropriated \$5,600,000 for Military Base Retention efforts and an additional \$600,000 for Military Base Redevelopment.

G. New York Council for the Humanities

The SFY 2012-13 State budget appropriated \$450,000 to the Council for the Humanities, which plans to use some of the money to provide grants of up to \$10,000 each for the War of 1812 events to be held in several localities where battles were fought, including Plattsburgh, the Buffalo Niagara region and Sackets Harbor on the eastern end of Lake Ontario.

H. Article VII Legislation

**Merge State Entities, Part D
(A.9060-C; Ch. 60 of 2012)**

The law provides for several State entity mergers that seek to enhance operational effectiveness and efficiencies.

**Division of Veterans Affairs
New York State Veterans' Hall of Fame (Sections 37, 38, and 39)**

This law eliminates the statutory requirement for a council that would establish and operate a New York State Veterans' Hall of Fame.

VI. BILLS THAT PASSED THE ASSEMBLY ONLY

A. Veterans Affairs Committee

1. Expansion of the Veterans' Alternative Tax Exemption (A.35, Cusick; Passed Assembly)

This bill would expand the veterans' alternative tax exemption so that it could 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 could pass a resolution to provide the expanded exemption. Qualified veterans living within a 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.

2. Instructional Programs for American Military History (A.959, Colton; Passed Assembly)

This bill would require 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. The DVA would develop an informational pamphlet with a general overview of the veteran speaker education program, to be circulated to school districts. The pamphlet would also list the available speakers for the program, who would share their military experience.

3. Services Available to Veterans (A.2920, 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?"

4. Transfer Real Property Tax Exemption Within a County (A.5518-B, Bronson; Passed Assembly)

This bill would allow a county or a city having a population of one million or more persons to adopt a local law, ordinance, or resolution to allow an assessor to transfer the exemption, on a pro-rated basis, of a veteran who moves to a new housing unit within the same county or city having a population of one million or more persons, in the fiscal year that such move occurred.

5. Veteran-Owned Small Business Account (A.7166, 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.

**6. Interagency Council
(A.7260, 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 to service-disabled veterans from multiple state and local agencies.

**7. State Cold War Certificates
(A.7379, Ortiz; Passed Assembly)**

This bill would recognize 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.

**8. Review of the Division of Veterans' Affairs Programs for Elderly Veterans
(A.7660, Moya; Passed Assembly)**

This bill would require the New York State Division of Veterans' Affairs, in consultation with the Office for the Aging, to review veterans programs offered by the Division to ensure that the needs of the State's aging population are being met and to develop improvements to such programs.

**9. Military Sexual Trauma
(A.10068-A; 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 county and city veterans' services to provide information on programs to assist this special veterans' population.

**10. Admission to the New York State Veterans Nursing Home Program
(A.10213, Ramos; 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 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.

**11. Real Property Owned by Veterans Organization
(A.10276-A, Lavine; Passed Assembly)**

This bill would allow a municipality to adopt a local law to provide for an exemption from property taxes on that portion of real property owned by veterans' organizations but used by another corporation or association. Under current law, any portion of the property owned by a veterans' post that is available to the general public, for use for weddings, receptions, dinners, and dances, is fully taxable. This measure would allow municipalities to grant an exemption on this portion of the property by local law after a public hearing.

**12. Civil Service Credits
(A.10529, Rules at the Request of Ramos; Passed Assembly)**

This bill would amend civil service law by expanding the definition of "time of war" in regards to awarding additional credits on scores in open competitive and promotional civil service examination. This would clarify that those who served in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn and who are recipients of the Global War on Terrorism Expeditionary Medal, the Iraq Campaign Medal, or the Afghanistan Campaign Medal are eligible for service credit. The bill also would include veterans who participated in the United States military action in Bosnia and Herzegovina or were the recipients of the Kosovo Campaign Medal.

B. Health Committee

**Clarification of the Disposition of Human Remains
(A.591, 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 be the form appearing in Section 4201 of the Public Health Law and would remove the requirements for 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 service member's death. It is used for disposition of that member's pay and allowances if captured, missing, or interred.

C. Mental Health Committee

**Eliminate Stigma Among Service Members
(A.1070-A, Ortiz; Passed Assembly)**

This proposal was a result of a public hearing held in February 2010 by the New York State Assembly Standing Committees on Mental Health, Alcohol and Drug Abuse and Veterans' Affairs.

This bill would create a public education program to eliminate misinformation about mental illness and chemical dependence among military service members and reduce perceived stigma attached to such diagnoses.

D. Tourism, Parks, Arts, and Sports Development Committee

Civil War 150th Anniversary Commemoration Commission (A.1650-A, McEneny; Passed Assembly)

This bill would create the “New York State Civil War 150th Anniversary Commemoration Commission” to plan, execute, and organize a series of reenactment tourist events throughout the State.

E. Small Business Committee

**Small Business Portal
(A.2158, Hevesi; Passed Assembly)**

This bill would direct the Division of Small Business to maintain a small business portal on the Department of Economic Development website. This one-stop source of information would include information such as services provided by local, state, and federal agencies, including assistance with issues facing veteran-owned small businesses.

F. Governmental Employees Committee

**1. New York City Employees
(A.6304-A, 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 technical error, the legislation omitted members of the New York City retirement systems. This bill would correct this omission.

**2. Waiver of Fees for Veterans
(A.9969, Goldfeder; Passed Assembly)**

This bill would waive civil service exam fees for military veterans.

G. Election Law Committee

**1. Counting Ballots of Deceased Military Personnel
(A.1450-A, Ortiz; Passed Assembly)**

This bill would require that absentee or military ballots of any service member be counted if such service member dies resulting from injuries sustained while he or she was present in a combat theater or combat zone of operations before the date of the election for which it was cast.

2. Military Ballots
(A.9271-B, Silver; Passed Assembly)

The purpose of this bill is to ensure that New York State's election law is consistent with the federal Military and Overseas Voter Empowerment (MOVE) Act.

3. Absentee Voting for Veterans
(A.7769, Dinowitz; Passed Assembly)

This bill would eliminate references to "inmate" when referring to residents of veterans' administration hospitals for purposes of absentee voting.

VII. BILLS REPORTED BY OTHER COMMITTEES THAT BECAME LAW

A. Transportation Committee

Veterans Identification Cards and License (Chapter 487 of the Laws of 2012; A. 9611, Sweeney)

This law allows veterans who submit the proper paperwork to be provided a space on the New York State driver's license that indicates they are a veteran of the United States Armed Forces.

B. Ways and Means

1. Vending Food Exemption (Chapter 562 of the Laws of 2012; A.5718-B, Magee)

This law amends the tax law to exempt food and beverages sold through vending machines from New York State sales tax up to \$1.50. This bill was supported by the Vietnam Veterans of America, Inc., Central New York Chapter #103. Many veterans are employed by the vending industry in New York State.

2. Sales Tax for Military Service Flags (Chapter 477 of the Laws of 2012; A.835-A, Cusick)

This measure amends the tax law to exempt from the imposition of sales tax the purchase of military service flags, prisoner of war flags, and blue star banners. Current law exempts the purchase of the American flag and New York State flag.

C. Economic Development, Job Creation, Commerce, and Industry

Club Definition (Chapter 328 of the Laws of 2012; A.10096 Schimminger)

This measure includes the Sons of the American Legion and the American Legion Ladies Auxiliary in the category of a club under the Alcoholic Beverage Control Law.

It amends the definition of “club members” of veterans clubs, such as the American Legion and the American Legion Ladies Auxiliary, to allow members in possession of an identification card indicating membership in the national organization to be accepted for membership in any of its New York State chapters.

VIII. HONORING VETERANS THROUGH LEGISLATIVE RESOLUTIONS

A. Urging the New York State Congressional Delegation to Pass Federal Legislation to Establish a Commission to Ensure a Suitable Observance of the Centennial of World War I and to Designate Memorials to the Veterans of World War I, S.253 (Resolution No. 1144, Ramos)

From 2014 through 2018, the United States and nations around the world will mark the centennial of World War I. This resolution calls for federal legislation to establish a suitable observance of the centennial and designate memorials to the service men and women of the United States who fought in World War I. More than 4,000,000 men and women from the United States served in uniform during World War I. S.253 would call for the United States and countries throughout the world to mark 2014 through 2018, the centennial of World War I. This resolution urges the New York State Congressional Delegation to pass S.253, to establish a commission to ensure suitable observance of the centennial of World War I.

B. Urging the New York State Congressional Delegation to Pass the World War I American Veterans Centennial Commemorative Coin Act (Resolution No. 01291, Ramos)

The World War I American Centennial Commemorative Coin Act would seek up to 350,000 in \$1 silver coins in the year 2017, in commemoration of the United States entrance into World War I on April 6, 1917. The federal bill would authorize a designated competition in which the winner would be selected by an expert jury chaired by the United States Treasury Secretary and members from the Citizen Coinage Advisory Committee. The silver dollars would be sold for one calendar year starting as early as January 1, 2017. This resolution urges the New York State Congressional Delegation to pass the World War I Veterans Centennial Commemorative Coin Act.

C. Urging the New York State Congressional Delegation to Pass the Blue Water Navy Vietnam Act of 2011 (Resolution No. 1380, Castro)

The proposed federal Blue Water Navy Vietnam Veterans Act of 2011 would allow blue water veterans who served up to 12 miles off-shore in Vietnam presumptive coverage for Agent Orange exposure. Thus, this bill would enable these veterans to receive Department of Veterans Affairs benefits if the person suffers from any disease linked to Agent Orange. In 2002, Veterans Affairs limited the scope of veterans who receive disability compensation for illnesses related to exposure to Agent Orange to those veterans who could provide orders for “boots on the ground” in Vietnam. As a result, veterans who served in the waters off the coast of Vietnam, commonly known as “blue water veterans,” were forced to file individual claims with Veterans Affairs to receive compensation. Veterans Affairs reviews each individual’s claim on a case by case basis and has denied over 32,000 claims since 2009. In May 2011, a report issued by the Institute of Medicine concluded that plausible routes of exposure to Agent Orange exist for blue water veterans. This resolution urges the New York State Congressional Delegation to pass the Blue Water Navy Vietnam Act of 2011.

D. Commemorating the 50th Anniversary of the Vietnam War (Resolution No. 01616, Canestrari)

More than three million service men and women left their homes and families to bravely serve the United States military in the Vietnam War. Beginning on Memorial Day, 2012, the Federal government began a partnership with local governments, private organizations, and communities across the country to participate in the commemoration of the 50th Anniversary of the Vietnam War. This will be a part of a thirteen-year program to honor and give thanks to Vietnam Veterans. This resolution commemorates the 50th Anniversary of the Vietnam War.

E. Commemorating the Observance of the Welcome Home Vietnam Veterans Day on March 30, 2010 (Resolution No. 01123, Castelli)

The United States Armed Forces became involved in Vietnam to provide direct military support to the government of South Vietnam to defend itself against threat from North Vietnam. In 1965, United States ground combat units arrived in Vietnam. By the end of 1965, there were 80,000 United States troops in Vietnam; by 1969, a peak of approximately 543,000 troops were in Vietnam. In March of 1973, the United States withdrew troops from Vietnam. More than 58,000 members of the United States military lost their lives and more than 300,000 members of the Armed Forces were wounded. This resolution commemorates the observance of Welcome Home Vietnam Veterans Day on March 30, 2012.

F. Commending the Vietnam and All Veterans of Brevard upon the Occasion of Displaying its Vietnam Traveling Memorial Wall (Resolution No. 1596, Markey)

The Vietnam Traveling Memorial Wall stands as a reminder of the great sacrifices made during the Vietnam War. The wall is part of the Vietnam and All Veterans of Brevard (VVB), located in Brevard County, Florida. The VVB is dedicated to establishing the Vietnam Traveling Memorial Wall, not only in the states of Florida and New York, but throughout the United States. This resolution commemorates the Vietnam and All Veterans of Brevard up the Occasion of Displaying its Vietnam Traveling Memorial Wall.

G. Honoring the Borinqueneers, the Only All Puerto Rican Unit in United States Military History (Resolution No. 1602, Lopez, P.)

The Borinqueneers, 65th Infantry Regiment and the only all Puerto Rican unit in United States military history, was created in 1899 and served during World War I, World War II, the Korean War, and nine major campaigns. More than 20,000 Puerto Ricans have served in the Borinqueneers since World War I, and it has earned the respect and admiration of their fellow soldiers and military authorities. This resolution honors the Borinqueneers.

H. Honoring the Hispanic American Veterans of Western New York for their Brave and Valiant Services to the United States (Resolution No. 1106, Ryan)

Since the development of the 65th Infantry Regiment, an all Puerto Rican division, there have been 1.1 million Hispanic veterans of the United States Armed Forces. Western New York is home to approximately 75,000 residents of Hispanic ancestry, including hundreds of Hispanic veterans. During the Vietnam War, five percent of young Hispanic males were active in the Armed Forces. This resolution honors the Hispanic American Veterans of Western New York.

I. Commemorating the Bicentennial of the War of 1812 (Resolution No. 1439, Schimminger)

The War of 1812 represents a seminal period in the process of nation building in both the United States and Canada. The cross-border Niagara region was at the frontier of the War of 1812, with decisive battles both on land and lakes, reporting the greatest number of casualties and the longest continual period of conflict. The War of 1812 significantly affected civilian populations on both sides of the Niagara River, especially when the flames of war burned British-Canadian, American, and Tuscarora settlements along the Niagara River in 1813. This conflict involved and had an impact on the Native Americans/First Nations in both countries and throughout the Niagara region. The bicentennial of the War of 1812 offers an opportunity to acknowledge and celebrate the legacy and peace along the Niagara and between the United States and Canada. This resolution commemorates the bicentennial of the War of 1812.

J. Honoring Betsy Doyle for her Heroic and Dedicated Service on Behalf of the United States at Fort Niagara During the War of 1812 (Resolution No. 947, Ceretto)

During the War of 1812, the United States invaded Canada and pivotal battles were fought on both the New York and Canadian sides of Lake Ontario, including the Battle of Queenston in October of 1812 and the battle at Fort Niagara in November of 1812. Enlisted artillery soldier, Andrew Doyle, was captured and taken prisoner by the British while serving at the battle at Fort Queenston. Betsy Doyle, Andrew Doyle's wife, played an integral role in defending Fort Niagara during a cannonade launched by the British. Her bravery and heroic effort during the battle were noted by all. In addition, in December of 1813, prior to another British attack, Betsy Doyle wore a military uniform and stood guard throughout the night to motivate the American militia. While the British captured Fort Niagara in December of 1813, Betsy Doyle escaped with her children and fled 300 miles east across the trails of upstate New York until she finally found refuge in Greenbush Cantonment in April 1814. In 1814, a monument was dedicated in honor and memory of Betsy Doyle. This resolution honors Betsy Doyle for her heroic and dedicated service on behalf of the United States at Fort Niagara during the War of 1812.

K. Commemorating the Dedication of the Statue of Dr. Mary Edwards Walker on May 12, 2012 (Resolution No. 1197, Oaks)

Dr. Mary Edwards Walker, one of the nation's 1.8 million women veterans, has been the only woman to earn the Congressional Medal of Honor, which she earned for her service during the Civil War. Early in Mary Edwards Walker's life, she became an enthusiast for Women's Rights and passionately espoused the issue of dress reform. In June of 1855,

Mary Edwards Walker, the only woman in her class, joined the tiny number of women doctors in the nation when she graduated from Syracuse Medical College, the nation's first medical school. When war broke out, Dr. Mary Edwards Walker went to Washington to join the Union Army. Upon denial of admission as a medical officer, she volunteered and served as an acting assistant surgeon and became the first female surgeon in the United States Army. Dr. Mary Edwards Walker was taken prisoner in 1864 by Confederate troops and imprisoned in Richmond for four months. After her release, she spent the remainder of the war practicing medicine in Louisville. In 1865, President Andrew Jackson presented Dr. Mary Edwards Walker with the Congressional Medal of Honor for Meritorious Service. This resolution commemorates the statue of Dr. Mary Edwards Walker, a Medal of Honor recipient, on May 12, 2012.

L. Commending American Legion Department Commander W. Michael Bowen Upon the Occasion of the Homecoming Dinner Being Held in His Honor on May 19, 2012 (Resolution No. 1323, Kolb)

Commander W. Michael Bowen was born in Hornell, New York, and grew up in Waterloo, New York. He enlisted in the United States Navy in 1967 at the age of 17 and served from 1967 until 1971 in Europe and the Mediterranean area with the Naval Security Group as a top secret radioman intercept operator. W. Michael Bowen is a member of the American Legion Warner-Van Riper Post 435 in Waterloo; a member of the Sons of the American Legion Squadron, a graduate of Legion College and the National American Legion College, a member of the Masonic Lodge 965, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, the Marine Corps League, and the Forty and Eight Veterans Organization, and was the States Chef de Gare 2005-2006. This resolution honors the American Legion commander W. Michael Bowen on May 19, 2012.

M. Commending the Hudson River Museum upon the occasion of Hosting its Exhibit, Westchester Women and War: Portraits (Resolution No. 01534, Mayer)

This exhibit will display portraits of Westchester women soldiers who serve their country today and those who served in the past. The exhibit was hosted at the Hudson River Museum in Yonkers, New York, from May 26, 2012, through September 9, 2012. The exhibit showcased portraits of women who have served in various military conflicts throughout United States history. Women from New York who have served in the Armed Forces of the United States have made countless contributions and tremendous sacrifices during times of war. This resolution commemorates the Hudson River Museum upon the occasion of hosting the exhibit, Westchester Women and War: Portraits.

N. Recognizing the Rockland County Clerk's Office as creator of the "Return the F.A.V.O.R." as a Statewide Program Service (Resolution No. 01411, Zebrowski)

The "Return the F.A.V.O.R." (Find and Assist Vets of Record) program originated in Rockland County under the leadership of Paul Piperato of the County Clerk's Office. The program provides honorably discharged veterans with discounts on goods and services once they acquire an identification card from their respective county clerk's

office. The “Return the F.A.V.O.R” program provides businesses and governments with the opportunity to “return the favor” to the veterans who have fought for our country. Additionally, another goal of this program is to increase veterans’ knowledge of the many services and resources available to them through non-profit and governmental agencies. In New York State, over 50,000 veterans and 5,000 business discounts have been registered in the “Return the F.A.V.O.R.” program. This resolution recognizes the Rockland County Clerk’s Office as the creator of the “Return of F.A.V.O.R.” as a statewide program.

O. Celebrating the Life and Mourning the Passing of Tuskegee Airman Clarence W. Dart (Resolution No. 924, Camara)

Born on December 6, 1920, in Elmira, New York, Clarence Dart was drafted in 1942 and entered into the United States Army Air Corps during World War II. Clarence Dart served as a member of the 332nd Fighter Group and was assigned to the 99th Fighter Squadron in the 12th Air Force in North Africa. As a Tuskegee Airman flying P-40s with the 318th Army Air Force Unit Squadron F, he flew ninety-nine missions and was shot down twice.

Clarence Dart is the recipient of two Purple Hearts for injuries sustained during air combat, commendations, awards, and medals that include five Distinguished Flying Crosses, the Air Medal with four oak leaf clusters, the New York Conspicuous Service Cross and New York States Service Star, induction into the Elmira Free Academy Wall of Fame, and 2011 induction into the New York State Senate Veterans Hall of Fame. In March 2007, Clarence Dart and his fellow airmen were also recognized at the United States Capitol with the Congressional Gold Medal, the highest civilian honor that Congress bestows. This resolution commends and celebrates the life of Tuskegee Airman Clarence Dart upon his passing on Friday, February 17, 2012, at the age of 91.

P. Celebrating the Life and the Passing of Tuskegee Airman William Alexander Samber (Resolution No. 1076, Cook)

Born December 6, 1918, William Samber and his family moved from Key West, Florida, to New York City, where he pursued higher education and earned his first baccalaureate degree. Upon the outset of World War II, Samber volunteered for the United States Army Air Forces and earned a perfect score on the Air Force entrance exam. He was sent to the Tuskegee Army Air Field in Alabama and became one of the “Original” Tuskegee Airmen who served in the Mediterranean Theater of Operations during the war.

William Samber served in the 301st Fighter Squadron and the 332nd Fighter Group as a control tower operator and assisted enlisted men taking correspondence classes while in combat. He helped the men complete mathematics as well as other subjects in order to receive their high school diplomas. He served with pride and dedication and was honorably discharged. Prior to his discharge from military service, William Samber continued his education at the State University of New York and began a career in teaching and guidance counseling. In March 2007, William Samber was recognized at the United States Capitol with the Congressional Gold Medal, the highest civilian honor that Congress bestows. This resolution commends and celebrates the life of Tuskegee Airman

and passionate educator William Samber upon his passing on November 23, 2011, at the age of 92.

IX. HONORING SERVICE MEN AND WOMEN THROUGH LEGISLATIVE RESOLUTIONS

A. Commending Technical Sergeant Joseph Wilkinson for His Valiant Military Service as a Member of the Security Forces for the United States Air Force (Resolution No. 1001, Cusick)

Technical Sergeant Joseph Wilkinson manned the front gates and conducted mobile patrol around the perimeters of five different overseas installments in support of both Operation Enduring Freedom and Operation Iraqi Freedom. Since coming home Sergeant Joseph Wilkinson has bravely faced an undiagnosed medical issue. With courage and valor, he has used his most recent health problems as a way to reach out to other veterans battling similar situations. This resolution commends those serving in the military during times of conflict, such as Sergeant Joseph Wilkinson.

B. Honoring Colonel John P. Bartholf Upon the Occasion of His Retirement From the United States Air Force (Resolution No. 911, Brindisi)

Colonel John P. Bartholf has served as a Commander of the Eastern Air Defense Sector (EADS) in Rome, New York. EADS is responsible for the aerospace defense of the eastern United States and supports the North American Aerospace Defense (NORAD). Colonel John P. Bartholf, a native of Colorado Springs, Colorado, graduated from New Mexico Military Institute in 1981 with an associate's degree. He later transferred to Virginia Polytechnic Institute and State University and graduated with a Bachelor of Science Degree in Sociology while earning a commission in the United States Air Force. Following training at Williams Air Force Base, Colonel John Bartholf went to Fighter Lead-in at Holloman AFB and then to F-16 RTU at MacDill AFB. He has served as the Air Liaison Officer for the 3rd Brigade, 4th Infantry Division, in Fort Carson, Colorado. He spent time as the Chief Air-to-Air Operations Inspector and became a Reserve Officer with the 134th Langley AFB. In 2003 he was selected to be the Northeast Air Defense Sector Operations Group Commander and served in that capacity for over a year. This resolution honors Colonel John P. Bartholf upon the occasion of his retirement on Friday, February 17, 2012.

C. Commending Corporal Kevin P. Vaughan for His Valiant Military Services During Operation Enduring Freedom (Resolution No. 942, McDonough)

Kevin P. Vaughan grew up in Merrick, New York, in Wenshaw. During his second deployment in Afghanistan, Corporal Kevin P. Vaughan's convoy was ambushed by a roadside bomber on September 28, 2011. Corporal Vaughan was injured during the event. While in rehabilitation at a military hospital in Maryland, President Obama visited Corporal Vaughan and presented him with a Presidential Citation and a Purple Heart. This resolution commends Corporal Kevin P. Vaughan's valiant and honorable service upon his return home to the Wenshaw community on March 9, 2012.

D. Honoring General Martin E. Dempsey Upon the Occasion of Assuming Duty as the 18th and Current Chairman of the Joint Chiefs of Staff (Resolution No. 857, Rabbitt)

During his 36 years of service in the United States Army, General Martin E. Dempsey has served in a variety of positions. Following graduation from the United States Military Academy in 1974, General Dempsey received his commission as an armor officer. As a company grade officer he served with the 2nd Armored Cavalry Regiment in the United States Army Europe and with the 10th Cavalry at Fort Carson. Upon graduating from Duke University with a Masters of Arts in English, he served as a professor of English at West Point. General Dempsey was later deployed with the Third Armored Division in support of Operation Desert Shield/Desert Storm, served on the Joint Staff as an Assistant Deputy Director in J-5 and as a Special Assistant to the Chairman of the Joint Chiefs of Staff in Washington, D.C., and served in Saudi Arabia in a training and advisory role. In 2003 he took command of the 1st Armored Division in Baghdad and completed his tour in 2005. From August 2007 through October 2008, General Dempsey served as the Deputy Commander and then Acting Commander of the United States Central Command as well as commander of the Army training and Doctrine Command. This resolution honors General Martin E. Dempsey upon the occasion of assuming duty as the 18th and current chairman of the Joint Chiefs of Staff.

E. Honoring Colonel Michael I. Gould Upon the Occasion of His Designation for Special Recognition at a Memorial Day Breakfast and Awards Celebration on May 24, 2012 (Resolution No. 1519, Brook-Krasny)

Fort Hamilton Garrison Commander Colonel Michael J. Gould, an alumni of the United States Military Academy, is honored for his dedication to the United States Military on the occasion of his designation for special recognition at a Memorial Day Breakfast and Awards Ceremony. Colonel Michael J. Gould is a graduate of the United States Military Academy, the Field Artillery Officer Basic and Advanced Courses, and has earned Master's Degrees from the Naval War College, Michigan University, and the National War College. Colonel Gould is a highly decorated soldier who has earned awards including the Bronze Star, Meritorious Service Medal, the Army Commendation Medal, the Army Staff Identification Badge, and the Parachutist Badge. This resolution honors Colonel Michael I. Gould upon the occasion of his designation for special recognition at a Memorial Day breakfast on May 24, 2012.

F. Honoring the Untimely Death of Several Men and Women who Died in Iraq and Afghanistan

Sergeant Adam C. Munn
Sergeant William R. Wilson

K.1085, Crouch
K.1155, Walter

X. MEMORIALIZING THE GOVERNOR TO PROCLAIM VETERAN-RELATED EVENTS

A. Memorializing Governor Andrew M. Cuomo to Proclaim February 3, 2012, as Four Chaplains Day in the State of New York (Resolution No. 868, Cusick)

February 3, 2012, marks the 69th Anniversary of the sinking of the United States Army transport Dorchester, an event that resulted in the loss of nearly 700 lives in 1943. Witnesses of the event have recounted in the Congressional Record the heroism of Four Chaplains: Lieutenant George L. Fox; Lieutenant Alexander D. Goode; Lieutenant John P. Washington; and Lieutenant Clark V. Poling. Each of the chaplains was awarded the Purple Heart, Distinguished Service Cross, and a special medal of valor from the United States Congress. This resolution memorializes Governor Cuomo to proclaim February 3, 2012, as the Four Chaplains Day in the State of New York.

B. Memorializing Governor Andrew M. Cuomo to Proclaim March 29, 2012, as Vietnam Veterans Day in the State of New York (Resolution No. 1115, Castelli)

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 ground combat units arrived 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, 2012, as Vietnam Veterans' Day in the State of New York.

C. Memorializing Governor Andrew M. Cuomo to Proclaim April 2012, as the Month of the Military Child in the State of New York (Resolution No. 1177, Russell)

There are 1.8 million youth under the age of 18 with a parent serving in the military and approximately 900,000 with one or both parents deployed at multiple times. Military children undergo unique challenges; they often have to adapt to their parent or loved one's military obligations. The month of the Military Child was established to underscore the important role children play in the Armed Forces community. This resolution memorializes Governor Cuomo to proclaim April 2012 as the Month of the Military Child in the State of New York.

D. Memorializing Governor Andrew M. Cuomo to Proclaim May 14, 2012, as Battle of Henry Johnson Day in the State of New York (Resolution No. 854, McEneny)

Henry Johnson volunteered for the United States Army in 1917 and joined the all-black 15th New York Infantry. The Infantry later went overseas in December 1917, and is currently referred to as the 369th U.S. Infantry. While on guard duty on May 14, 1918,

Henry Johnson and fellow soldier Needham Roberts came under attack by a German raider. Johnson followed the enemy, fatally shooting one German, and when his gun was jammed, used his bayonet to kill several others. Johnson was promoted to Sergeant and was the first American of color to receive the Croix de Guerre, a distinctive French honor. President Theodore Roosevelt referred to Henry Johnson as “one of five bravest Americans.” Henry Johnson was posthumously awarded the Purple Heart and the Distinguished Service Cross. Henry Johnson is a true American hero and is recognized and commended by the State of New York for his bravery.

This resolution memorializes Governor Cuomo to proclaim May 14, 2012, as Battle of Henry Johnson Day in the State of New York and to request the Secretary of the Army to review the case of Sergeant Henry Johnson to award him the Medal of Honor.

E. Memorializing Governor Andrew M. Cuomo to Proclaim November 4-10, 2012, the week Prior to Our National Veterans’ Day, Held Yearly on November 11th, as Veterans Awareness Week in New York State (Resolution No. 1254, Sweeney)

Throughout our nation’s history, the men and women of America’s Armed Forces have preserved our freedom, protected our security, and upheld our democratic values. During the week of November 4-10, 2012, we honor the veterans of the American Armed Forces. This resolution memorializes Governor Cuomo to proclaim November 4-10, 2012, as the week prior to our national Veterans’ Day.

XI. OTHER ACTIVITIES BY THE VETERANS COMMITTEE

A. Subcommittee on Women Veterans

The subcommittee sponsored the 18th annual Women Veterans Recognition Day, held on June 12, 2012. This year the Subcommittee honored the many accomplishments of women veterans, from those who served during World War II to those serving in current tours of duty. A luncheon and roundtable discussion was also held. 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 K.1508 by Assemblywoman Addie Russell, the Chair of the Subcommittee on Women Veterans, was adopted memorializing Governor Andrew M. Cuomo to proclaim June 12, 2012, as Women Veterans Recognition Day in the State of New York.

B. Public Hearing and Roundtables

On December 5, 2012 the New York State Assembly Standing Committee on Veterans' Affairs held a hearing on the county and city Veterans' Service Agencies that are overseen by the Division of Veterans' Affairs. State monies are allocated to local veterans service agencies to be used only for veterans' services.

C. 25th Anniversary SOMOS Conference

The 25th Anniversary Spring SOMOS El Futuro Conference was held from March 23rd through 25th of 2012 in Albany, New York. The Conference was held by the New York State Assembly and Senate Puerto Rican/Hispanic Task force. One of the conference workshops was on veterans' issues, which was chaired by the New York State Veterans Affairs Committee Chair, Honorable Phil Ramos.

XII. OUTLOOK FOR 2013

The Standing Committee on Veterans' Affairs is looking forward to a productive year in 2013. 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 including the following:

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

The Committee will continue to strive to uphold its responsibilities by addressing 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**

Final Action	Assembly Bills	Senate Bills	Total Bills
Bills Reported With or Without Amendments			
To Floor; Not Returning to Committee	4		4
To Ways and Means	14		14
To Codes	1		1
To Rules	2		2
To Judiciary	1		1
Total	22		22
Bills Having Committee Reference Changed			
To	0		0
To			
Total	0		0
Senate Bills Substituted or Recalled			
Substituted		0	0
Recalled		2	2
Total		2	2
Bills Defeated in Committee	0	0	0
Bills Held for Consideration With a Roll-Call Vote	15	0	15
Bills Never Reported, Died in Committee	59	6	65
Motions to Discharge Lost	0	0	0
Total Bills in Committee	98	8	106
Total Number of Committee Meetings Held		6	

APPENDIX B

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

BILL NO.	SPONSOR	CHAPTER	DESCRIPTION
A.9104	Ramos	69	This measure extends to June 15, 2014, 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 and who served as members of the U.S. Armed Forces in Indo-China from December 22, 1961, through May 7, 1975, qualify for the extended time.
A.8932-A	Scarborough	269	This measure requires the Division of Veterans' Affairs to provide information regarding resources available to assist veterans in obtaining employment by maintaining a veterans' employment portal on the division's website.
A.9415	Magnarelli	463	This measure requires the New York State Veterans' Affairs Commission to develop and update, in consultation with the Office of Mental Health and the Department of Labor, a state interagency plan to improve outreach, assessment, and care for veterans and their families with mental health and/or substance abuse problems.
A.9648-A	Paulin	439	This law allows municipal corporations to adopt a local law or, in the case of a school district or board

			<p>of cooperative education services, a resolution to authorize a change in status of a military monument or military memorial in their jurisdiction. The law defines the terms “military monument” and “change in status.” Prior to a change in status of a military monument or military memorial, the legislative body or school district or BOCES must authorize the change by a two-thirds vote of its members. A public hearing would be required.</p>
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APPENDIX C

BILLS THAT PASSED THE ASSEMBLY ONLY

BILL NO.	SPONSOR	DESCRIPTION
A.35	Cusick	This bill would expand the veterans' alternative tax exemption so that it could apply to taxes levied by school districts if the school district elected to do so.
A.959	Colton	This bill would require the director of the Division of Veterans' Affairs in consultation with the director of the New York State Military Museum and Veterans Resource Center, to establish a veteran speaker education program. The DVA would develop an informational pamphlet with a general overview of the veteran speaker education program, to be circulated to school districts. The pamphlet would also list the available speakers for the program.
A.2920	Sweeney	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.
A.5518-B	Bronson	This bill would allow a county or a city having a population of one million or more persons to adopt a local law, ordinance, or resolution to allow an assessor to transfer the exemption, on a pro-rated basis, of a veteran who moves to a new housing unit within the same county or city having a population of one million or more persons, in the fiscal year that such move occurred.
A.7166	Ramos	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
A.7260	Ramos	The purpose of this bill is to establish an Interagency Coordinating Council for service-disabled veterans to provide accessible, coordinated, and specialized services to service-disabled veterans from multiple state and local agencies.
A.7379	Ortiz	This bill would recognize 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.
A.7660	Moya	This bill would require the Division of Veterans' Affairs, in consultation with the Office for the Aging, to review veterans programs offered by the Division to ensure that the needs of the State's aging population are being met and to develop improvements to such programs
A.10068	Russell	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). It would require county and city veterans' services to provide information on programs to assist this special veterans population.
A.10213	Ramos	This bill would expand the categories 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 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.
A.10276	Lavine	This bill would allow a municipality to adopt a local law to provide for an exemption from property taxes on that portion of real property owned by a veterans' organization but used by another corporation or association. Under current law, any portion of the property owned by a veterans' post that is available to the general public, for use for weddings, receptions, dinners, and dances is fully taxable. This measure would allow municipalities to grant an exemption on this portion of the property by local law after a public hearing.
A.10529	Rules at the Request of Ramos	This bill would amend civil service law by expanding the definition of "time of war" in regards to awarding additional credits on scores in open competitive and promotional civil service examination. This would clarify that those who served in Operation Enduring Freedom, Operation Iraqi Freedom, or

		Operation New Dawn and who are recipients of the Global War on Terrorism Expeditionary Medal, the Iraq Campaign Medal, or the Afghanistan Campaign Medal are eligible for service credit. The bill also includes veterans who participated in military action in Bosnia and Herzegovina or were the recipients of the Kosovo Campaign Medal.
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APPENDIX D

Bills That Passed Both Houses but Were Vetoed

Bill #	Sponsor	Description	Chapter
A. 2102	Lavine	This bill would required the New York State Veterans' Affairs Commission to develop and update, in consultation with the Office of Mental Health and the Department of Labor, a state interagency plan to improve outreach, assessment, and care for veterans and their families for mental heath and/or substance abuse problems.	131

APPENDIX E

VETOED BUDGET BILLS

A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto # 118 Page 954, Line 11	American Legion Post # 1424	\$1,000 (re: \$1,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto # 119 Page 955, Line 23	Veterans of Foreign Wars Post 2565	\$2,500 (re:\$2,500)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto# 120 Page 955, Line 24	Veterans of Foreign Wars 2813	\$2,000 (re: \$2,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #121 Page 955, Line 32	Vietnam Veterans Chapter 32	\$2,000 (re: \$2,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #122 Page 955, Line 47	Vets, Inc.	\$8,000 (re \$8,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #123 Page 957,Line 4	American Legion-Argonne Post #71	\$4,500 (re \$4,500)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto#124 Page 957, Line 6	American Legion Post 1424	\$3,000 (re: \$3,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #125 Page 957, Line 10	American Legion, Peekskill Post #274	\$18,000 (re \$18,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #126 Page 957, Lines 21-22	Disabled American Veterans (DAV) Northern Westchester- Putnam Chapter	\$5,000 (re \$5,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #127 Page 957, Line 50	Veterans of Foreign Wars Post #2565	\$1,000 (re \$1,000)
A.9053-A Chapter 53 Aid to Localities	Division of Veterans' Affairs	Line Veto #128 Page 957, Line 51	Veterans of Foreign Wars Post 2813	\$2,000 (re \$2,000)

