

PUBLIC ACT NO. 88-285

**AN ACT CONCERNING THE ORGANIZATION OF THE
DEPARTMENT OF VETERANS' AFFAIRS AND THE VETERANS'
HOME AND HOSPITAL.**

Section 1. Section 27-102l of the general statutes, as amended by section 1 of public act 87-155 and section 8 of public act 87-543, is repealed and the following is substituted in lieu thereof:

(a) There shall be a department of veterans' affairs. THE VETERANS' HOME AND HOSPITAL SHALL BE WITHIN THE DEPARTMENT. The department head shall be the commissioner of veterans' affairs, who shall be appointed by the governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed therein.

(b) [The department may maintain offices upon the grounds of the veterans' home and hospital in Rocky Hill.] THE COMMISSIONER SHALL APPOINT A DEPUTY, TO ADMINISTER A VETERANS' ASSISTANCE UNIT FOR THE AID AND BENEFIT OF VETERANS, THEIR SPOUSES AND ELIGIBLE DEPENDENTS AND FAMILY MEMBERS. [It] THE UNIT shall have a staff of not less than eight men and women, including six service officers, [one of whom shall be the department head,] and clerical personnel. The department head, THE DEPUTY COMMISSIONER and the [other] service officers shall be veterans as defined in section 27-103, AS AMENDED BY SECTION 2 OF

THIS ACT, or veterans who were awarded the armed forces expeditionary medal for service by the armed forces. At least one of the service officers shall be a woman having a demonstrated interest in the concerns of women veterans, who shall be responsible for addressing those concerns. Each service officer shall successfully complete a course in veterans' benefits within one year of commencement of employment and shall be assigned to one of the six congressional districts of the state.

(c) [Duties of the department shall include, but not be limited to, the following] IN ADDITION TO THE POWERS AND DUTIES PRESCRIBED UNDER SECTION 4-8, THE COMMISSIONER SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(1) [Preparing studies and collecting] TO PREPARE STUDIES AND COLLECT information concerning facilities and services available to members of the armed forces, veterans, their spouses or eligible dependents, including facilities and services for veterans who may have been exposed to a Vietnam herbicide during their periods of military service;

(2) [Conducting] TO CONDUCT interviews in the nursing homes or hospitals throughout the state to determine the number of veterans admitted and ascertaining which benefits such veterans are currently receiving and are entitled to receive;

(3) [Cooperating] TO COOPERATE with service agencies and organizations throughout the state in disseminating and furnishing counsel and assistance of benefit to residents of this state who are or have been members of the armed forces, their spouses or eligible dependents, which will indicate the availability of: (A) Educational training and retraining facilities; (B) health, medical, rehabilitation and housing services and facilities; (C) employment and reemployment services; (D) provisions of federal, state and local laws affording financial rights, privileges and benefits; and (E) other matters of similar nature;

(4) [Assist.ng] TO ASSIST veterans, their spouses [or] AND eligible dependents AND FAMILY MEMBERS in the preparation, presentation, proof and establishment of such claims, privileges, rights and other benefits accruing to them under federal, state and local laws; [and]

(5) [Cooperating] TO COOPERATE with all national, state and local governmental and private agencies securing or offering services or any benefits to veterans, their spouses or dependents;

(6) TO DEVELOP AND PREPARE A LONG RANGE PLAN AND MISSION STATEMENT FOR THE VETERANS' HOME AND HOSPITAL AND THE VETERANS' ASSISTANCE UNIT; AND

(7) TO REVIEW ALL APPEALS MADE BY VETERANS, THEIR SPOUSES OR ELIGIBLE DEPENDENTS OR FAMILY MEMBERS AND RENDER THE FINAL DECISION THEREON REGARDING THE DENIAL OF ADMISSION TO ANY PROGRAM OR THE REFUSAL TO RENDER ANY SERVICE OR BENEFIT WHICH IS ADMINISTERED BY THE DEPARTMENT OF VETERANS' AFFAIRS, THE DISCHARGE OR TRANSFER THEREFROM OR ANY DISCIPLINARY ACTION TAKEN WHILE PARTICIPATING IN ANY SUCH PROGRAM.

(d) THE COMMISSIONER SHALL ADOPT, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 54, AND ENFORCE, SUCH REGULATIONS AND PROCEDURES FOR THE OPERATION,

ADMINISTRATION AND MANAGEMENT OF THE DEPARTMENT AND ALL PROGRAMS AND SERVICES UNDER THE JURISDICTION OF THE DEPARTMENT, INCLUDING BUT NOT LIMITED TO PROCEDURES RELATING TO ADMISSION AND DISCHARGE OR TRANSFER OF VETERANS IN THE VETERANS' HOME AND HOSPITAL, A PER DIEM FEE SCHEDULE FOR PROGRAMS, SERVICES AND BENEFITS PROVIDED BY THE VETERANS' HOME AND HOSPITAL, AND THE PARTICIPATION OF ELIGIBLE FAMILY MEMBERS IN PROGRAMS OR SERVICES PROVIDED BY THE HOME AND HOSPITAL.

Sec. 2. Section 27-103 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) As used in the general statutes, except chapter 504, and except as otherwise provided: (1) "Armed forces" means the United States Army, Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the armed forces; (3) [service in time of war shall be] "SERVICE IN TIME OF WAR" MEANS service of ninety or more days unless separated from service earlier because of a service-connected disability rated by the Veterans' Administration, during the Spanish-American War, April 21, 1898, to August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4, 1902, but as to engagements in the Moro Province, to July 15, 1903; the Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification, September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to December 6, 1915; the punitive expedition into Mexico, March 10, 1916, to April 6, 1917; World War I, April 6, 1917, to November 11, 1918, but as to service in Russia, to April 1, 1920; World War II, December 7, 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to [October 27, 1953] JANUARY 31, 1955; and shall include service during the Vietnam era, January 1, 1964, to July 1, 1975; and shall include service during such periods with the armed forces of any government associated with the United States.

(b) As used in this part, "home" means the veterans' home and hospital maintained by the state; "hospital" means any incorporated hospital or tuberculosis sanatorium in the state and any state chronic disease hospital, mental hospital or training school for the mentally retarded, [and] "veteran" means any veteran who served in time of war, as defined by subsection (a), and who is a resident of this state, provided, if he was not a resident or resident alien of this state at the time of enlistment or induction into the armed forces, he shall have resided continuously in this state for at least two years; "ELIGIBLE DEPENDENT" MEANS ANY PARENT, WIFE OR HUSBAND, OR CHILD OF A VETERAN WHO HAS NO ADEQUATE MEANS OF SUPPORT; AND "ELIGIBLE FAMILY MEMBER" MEANS ANY PARENT, BROTHER OR SISTER, WIFE OR HUSBAND, OR CHILD OR CHILDREN UNDER EIGHTEEN YEARS OF AGE, OF ANY VETERAN WHOSE COOPERATION IN THE PROGRAM IS INTEGRAL TO THE TREATMENT OF THE VETERAN.

Sec. 3. (NEW) The commissioner, in his discretion, shall investigate all complaints made to him with respect to the conduct or treatment of veterans, their spouses, or eligible dependents and family members receiving services under chapter 506 of the general statutes, or any program administered by the department and for such purpose shall have power to compel the attendance of witnesses under oath. If upon the completion of such investigation, the commissioner finds that any veteran, spouse or eligible dependent has not received proper care or has been ill treated or abused by any officer or employee, the commissioner shall, in his discretion, cause the offender to be prosecuted, disciplined or dismissed and shall order such remedial action as he deems necessary to eliminate the condition. If upon such investigation, the commissioner finds that no adequate grounds exist for such complaint, the commissioner shall certify that fact to the officer or employee involved and cause such officer's or employee's record to be cleared of the incident.

Sec. 4. Section 27-106 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The [commission] COMMISSIONER shall adopt and enforce SUCH rules [for the management of the home and hospital and to procure] AS MAY BE NECESSARY TO ENSURE order, enforce discipline and preserve the health and [insure] ENSURE the comfort of [its] THE patients IN THE VETERANS' HOME AND HOSPITAL; and shall discipline or dismiss any officer or patient of the home and hospital who disobeys or infringes upon such rules. The [commission] COMMISSIONER shall appoint, subject to the provisions of chapter 67, such officers and employees as are necessary for the administration of the affairs of the home and hospital, [and of its duties under this chapter, under its direction;] shall prescribe the relative rank, if any, of such officers and employees, and shall commission each such officer, who shall wear such uniform, if any, as is prescribed by the [commission] COMMISSIONER. THE COMMISSIONER, SUBJECT TO THE APPROVAL OF THE GOVERNOR, SHALL APPOINT A COMMANDANT OF THE HOME AND HOSPITAL WHO SHALL HAVE A DEMONSTRATED INTEREST IN THE CONCERNS OF VETERANS. [The chief officer appointed under this section] THE COMMANDANT shall submit an itemized list of expenditures made from the institutional general welfare fund to the [commission] COMMISSIONER at intervals not greater than two months. Such list shall include all such expenditures made during the two-month period preceding its submission.

(b) Notwithstanding the provisions of section 4-56, the [commission] COMMISSIONER shall prescribe procedures to limit and specify the uses for which expenditures may be made from the institutional general welfare fund so that only expenditures which, in the opinion of the [commission] COMMISSIONER AND THE BOARD OF TRUSTEES FOR THE HOME AND HOSPITAL APPOINTED PURSUANT TO SECTION 8 OF THIS ACT, directly benefit veterans or the veterans' home and hospital are permitted.

(c) In addition to the estimate of expenditure requirements required under section 4-77, the [commission] COMMISSIONER shall submit an accounting of all planned expenditures for the next fiscal year from the

institutional general welfare fund to the joint standing committee of the general assembly having cognizance of matters relating to appropriations and the budgets of state agencies at the time such estimate is submitted.

Sec. 5. Section 27-107 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The commissioner of public safety shall assign one or more state policemen for duty at the home as may be requested by the [commission] COMMISSIONER.

(b) The [veterans' home and hospital commission] COMMISSIONER, subject to the approval of the state traffic commission, may prohibit, limit, restrict or regulate the parking of vehicles, may determine speed limits, may restrict roads or portions thereof to one-way traffic and may designate the location of crosswalks on any portion of any road or highway upon the grounds of the veterans' home and hospital, and may erect and maintain signs designating such prohibitions or restrictions. Security officers or institutional patrolmen appointed to act as state policemen under the provisions of section 29-18 may arrest or issue a summons for violation of such restrictions or prohibitions. Any person who fails to comply with any such prohibition or restriction shall be fined not more than twenty-five dollars, and the court or traffic or parking authority having jurisdiction of traffic or parking violations in the town of Rocky Hill shall have jurisdiction over violations of this section.

Sec. 6. Section 27-108 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) All veterans [, and persons who served honorably in the armed forces of the United States for ninety days or more between October 28, 1953, and January 31, 1955, or who served honorably for a shorter time during such period if separated from service by reason of a service-connected disability rated by the Veterans' Administration,] shall be entitled to admission to the home; and all veterans who, from disease, wounds or accident, need medical or surgical care and treatment or who have become mentally ill and who have no adequate means of support, shall be entitled to admission to any hospital and to receive necessary food, clothing, care and treatment therein, at the expense of the state.

(b) Any veteran desiring care or treatment under the provisions of this chapter shall make application under oath to the [commission] COMMISSIONER; but, if, by reason of his physical condition, he is unable to make such application, some other veteran may make such application in his behalf. Said [commission] COMMISSIONER, OR HIS DESIGNEE, shall have sole power to determine whether such veteran is entitled to admission to the home or to a hospital, and such veteran, if admitted, shall, upon application to the [commission] COMMISSIONER, receive transportation at the expense of the state from his place of residence to the home or such hospital. No veteran so admitted shall be discharged from the home or hospital except upon the approval of the [commission] COMMISSIONER OR HIS DESIGNEE. The [commission] COMMISSIONER shall have sole power to remove any veteran, whose care and treatment is paid for by the state, from any hospital to another, and shall appoint such agents as are necessary to see that veterans admitted to hospitals are receiving necessary food, clothing, care and treatment.

(c) [The commission shall determine the sum to be paid by such applicants as it admits to the home or a hospital, who, in the judgment of the commission, are able to pay in whole or in part for their support, and fix the amount to be paid for medical and surgical care or treatment, food and clothing furnished such veterans at the home or at a hospital.] SUCH VETERANS WHO ARE ABLE TO PAY IN WHOLE OR IN PART FOR SUCH PROGRAM OR SERVICES, AS DETERMINED BY THE APPLICABLE FEE SCHEDULE ADOPTED PURSUANT TO SUBSECTION (c) OF SECTION 27-102I, AS AMENDED BY SECTION 1 OF THIS ACT, SHALL RECEIVE A MONTHLY BILL FOR SUCH SERVICES RENDERED.

(d) IN THE EVENT THAT A BILL OF A VETERAN REMAINS UNPAID AND PAST DUE, THE COMMANDANT WITH THE APPROVAL OF THE COMMISSIONER SHALL REQUIRE THE VETERAN TO ASSIGN HIS OR HER RIGHT TO RECEIVE PAYMENT OF INCOME, FROM WHATEVER SOURCE, TO THE COMMISSIONER UNTIL (1) SUCH ACCOUNT IS MADE CURRENT, AND (2) THE VETERAN DEMONSTRATES TO THE SATISFACTION OF THE COMMISSIONER A REASONABLE LIKELIHOOD OF MORE PRUDENT FINANCIAL MANAGEMENT FOR THE FUTURE. ANY VETERAN SHALL BE PROVIDED AN OPPORTUNITY FOR A HEARING WHEN AN ORDER OF ASSIGNMENT IS ISSUED.

[(d)] (e) Payment of amounts determined by the [commission] COMMISSIONER as provided by subsection (c) of this section [from the estates of deceased veterans] shall be deposited in the institutional general welfare fund of the veterans' home and hospital [commission] established in accordance with sections 4-56 to 4-58, inclusive, and shall be available for expenditure from said fund for the operation of the veterans' home and hospital in accordance with procedures prescribed by the [commission] COMMISSIONER and the [office of policy and management pursuant to subsection (b) of section 27-106] COMPTROLLER.

(f) IN THE EVENT THAT A VETERAN DIES, STILL OWING MONEY FOR SERVICES RENDERED, THE COMMANDANT, WITH THE AID OF THE ATTORNEY GENERAL'S OFFICE, MAY SUBMIT A CLAIM AGAINST SUCH VETERANS' ESTATE AND ANY AMOUNTS COLLECTED SHALL BE DEPOSITED IN THE INSTITUTIONAL GENERAL WELFARE FUND IN ACCORDANCE WITH SECTION 4-56.

Sec. 7. (NEW) Eligible family members may participate in a program or service administered by the department of veterans' affairs, in accordance with the regulations and procedures adopted for the operation, administration and management of such program or service.

Sec. 8. (NEW) (a) There shall be within the department a board of trustees for the veterans' home and hospital and an advisory board for the veterans' assistance unit. Each board shall be comprised of the commissioner and six members who by education or experience shall be qualified in health care, business management, social services or law and who shall have a demonstrated interest in the concerns of veterans. The commandant of the veterans home and hospital shall be a nonvoting member of the board of trustees for the home and hospital; and the deputy commissioner of the veterans' assistance unit shall be a nonvoting member

of the advisory board on the unit. A majority of the members of each board shall be veterans. Members shall be appointed by the governor and shall serve at the pleasure of the governor. Members shall be sworn to the faithful performance of their duties. They shall receive no compensation for their services but shall be reimbursed for their reasonable expenses in the performance of their duties.

(b) Each board shall meet at least monthly and upon the call of the commissioner. A majority of the members shall constitute a quorum.

(c) The boards shall advise and assist the commissioner in the operation of the veterans' home and hospital, the administration, expansion or modification of existing programs and services of the department and the development of new programs and services.

(d) The board of trustees for the home and hospital shall review and approve any regulations prior to adoption by the commissioner concerning: (1) Procedures relating to admission and discharge or transfer of veterans in the home and hospital; (2) a per diem fee schedule for programs, services and benefits provided therein, and (3) the participation of eligible family members in programs or services provided by the home and hospital.

(e) Each board shall submit an annual report to the governor on its activities with its recommendations, if any, for improving the delivery of services to veterans and the addition of new programs.

Sec. 9. Section 27-109 of the general statutes is repealed and the following is substituted in lieu thereof:

Any hospital, upon request of the [commission] COMMISSIONER, shall furnish any veteran, determined by the [commission] COMMISSIONER to be entitled to admission thereto, necessary food, clothing, care and treatment therein at the expense of the state, and such veteran shall have preference for admission into such hospital.

Sec. 10. Section 27-112 of the general statutes is repealed and the following is substituted in lieu thereof:

The [commission] COMMISSIONER may expend from its general appropriation such sum of money as, [may,] in the judgment of the [commission] COMMISSIONER, MAY be necessary to suitably care for and maintain, either at his or her residence or in a hospital or other suitable place in the state, any female veteran, and any veteran who is eligible to be admitted to the home and is unable to be removed thereto by reason of illness or accident until he is able to be removed to said home. A sum to be determined in accordance with section 17-312 shall be expended for the care and treatment of any veteran at any hospital receiving aid from the general assembly unless special care and treatment are required, when such sum as determined by the [commission] COMMISSIONER may be paid.

Sec. 11. Section 27-115 of the general statutes is repealed and the following is substituted in lieu thereof:

Upon application to the [commission] COMMISSIONER by [a sole surviving parent, wife or husband or child or children under eighteen years of age, who are without adequate means of support,] AN ELIGIBLE DEPENDENT of any veteran admitted to the home or any hospital or being cared for under the provisions of section 27-112, AS AMENDED BY SECTION 10 OF THIS ACT, the [commission] COMMISSIONER shall

certify to the comptroller an amount not exceeding seventy dollars per week for each dependent sole surviving parent, wife or husband and not exceeding thirty dollars per week for each such dependent child or children, to be paid to, or for the support of, such dependent. An extension of the above provision may be authorized by the [commandant] COMMISSIONER, for a reasonable period after such veteran has left the veterans' home and hospital or any hospital in which he was cared for under the provisions of SAID section 27-112; and the [commandant] COMMISSIONER may also effect an emergency payment, not to exceed one hundred dollars, when an emergency develops and processing of a formal application would render a hardship to the veteran or his dependents.

Sec. 12. Section 27-116 of the general statutes is repealed and the following is substituted in lieu thereof:

Weekly allowances, to be determined by the [commission] COMMISSIONER, but in no case in excess of the amount required for the support of a patient of the home, shall be paid by the comptroller for the support and maintenance of the widow of a man who served in the military or naval forces of the United States, in either the Civil or Spanish-American War, who had been honorably discharged from the same and was a resident of this state at the time of his death; if any such widow, at the time of making application for such aid, is without adequate means of support or by reason of age or disability is unable to support herself and if such widow was married prior to June 27, 1905, if her husband was a veteran of the Civil War, or prior to January 1, 1938, if her husband was a veteran of the Spanish-American War and if such widow lived with such husband continuously from the time of her marriage to him to the time of his death, separations of a temporary or ordinary nature excepted, and if such widow is a resident of this state when applying for such aid and continues to reside in this state while receiving it.

Sec. 13. Section 27-117 of the general statutes is repealed and the following is substituted in lieu thereof:

Any person who has in his possession or control any property of any person applying for or receiving aid from the soldiers, sailors and marines' fund or the [veterans' home and hospital commission] DEPARTMENT, or who is indebted to such applicant or recipient or has knowledge of any property belonging to him, and any officer who has control of the books and accounts of any corporation which has possession or control of any property belonging to any person applying for or receiving such aid or is indebted to him, shall, upon presentation by the disbursing officer thereof or any person deputized by him of a certificate signed by him, stating that such applicant or recipient has applied for or is receiving aid from said fund or the [veterans' home and hospital commission] DEPARTMENT, make full disclosure to such disbursing officer or deputy of any such property or indebtedness. Such disclosure may be obtained in like manner of the property or indebtedness of any person liable for the support of any such applicant or recipient.

Sec. 14. Section 27-118 of the general statutes is repealed and the following is substituted in lieu thereof:

When any veteran dies, not having sufficient estate to pay the necessary expenses of his last sickness and burial, as determined by the [veterans' home and hospital commission] COMMISSIONER after

consultation with the probate court for the district in which the veteran resided, the state shall pay the sum of one hundred fifty dollars toward such funeral expenses, and the burial shall be in some cemetery or plot not used exclusively for the burial of the pauper dead, and the same amount shall be paid if the body is cremated, but no amount shall be paid for the expenses for burial or cremation unless claim therefor is made within one year from the date of death; provided, in cases of death occurring abroad, such claim may be made within one year after the remains of such veteran have been interred in this country. No provision of this section shall prevent the payment of the sum above named for the burial of any person, otherwise entitled to the same, on account of such burial being made outside the limits of this state. Upon satisfactory proof by the person who has paid or provided for the funeral or burial expense to the [veterans' home and hospital commission] COMMISSIONER of the identity of the deceased, the time and place of his death and burial and the approval thereof by the [veterans' home and hospital commission] COMMISSIONER, said sum of one hundred fifty dollars shall be paid by the comptroller to the person who has paid the funeral or burial expense or, upon assignment by such person, to the funeral director who has provided the funeral. Whenever the comptroller has lawfully paid any sum toward the expenses of the burial of any deceased veteran and it afterwards appears that the deceased left any estate, the comptroller may present a claim in behalf of the state against the estate of such deceased veteran for the sum so paid, and the claim shall be a preferred claim against such estate and shall be paid to the treasurer of the state. The [veterans' home and hospital commission] COMMISSIONER, upon the advice of the attorney general, may make application for administration upon the estate of any such deceased veteran if no other person authorized by law makes such application within sixty days after such payment has been made by the comptroller.

Sec. 15. Section 27-119 of the general statutes is repealed and the following is substituted in lieu thereof:

When the grave of any person who, in time of war, served in the military or naval forces of the English colonies in America, prior to 1776, or the grave of any veteran, which is located in this state, is unmarked by a suitable headstone, or is marked by a bronze marker erected by this state, the [veterans' home and hospital commission] COMMISSIONER shall, upon application, provide payment for the costs of erecting headstones provided by the federal government and shall furnish transportation costs, where none are provided, for said headstones from the nearest destination point to which the federal government will deliver such headstones, to the gravesite. The expense of transportation and erection of such headstone shall be paid by the comptroller.

Sec. 16. Section 27-119a of the general statutes is repealed and the following is substituted in lieu thereof:

The [veterans' home and hospital commission] COMMISSIONER shall, upon application made by the chief executive authority of the town, city or borough wherein the deceased is buried, cause a metal marker and flag holder to be placed on the grave of any person who, in time of war, served in the military or naval forces of the English colonies in America,

prior to 1776, or who served in the military or naval forces of the United States in the Revolutionary War, which grave is not so marked.

Sec. 17. Section 27-120 of the general statutes is repealed and the following is substituted in lieu thereof:

If any person who, in time of war, served in the military naval forces of the English colonies in America, prior to 1776, or of the state of Connecticut or in the armed forces of the United States, and was credited to said colonies, state or the United States, died during such service of disease or wounds, or was killed in action, died in prison or was lost at sea and whose body was never brought home for interment, or who was reported missing in action and has not been heard from, the [veterans' home and hospital commission] COMMISSIONER shall, upon proper application, with satisfactory proof, made by the chief executive authority of the municipality of which the deceased was a resident, as to his identity and honorable service, cause to be erected in any cemetery or public place in such municipality, at a cost to the state of not more than fifty dollars, a marker or soldier's headstone, having inscribed thereon the name of such person, the organization to which he belonged, and the place of his death or burial or when he was reported as missing in action or lost at sea.

Sec. 18. Section 27-121 of the general statutes is repealed and the following is substituted in lieu thereof:

If the chief executive authority of any municipality which had as residents several veterans who were killed or lost as described in section 27-120, AS AMENDED BY SECTION 17 OF THIS ACT, and to whose memory markers or headstones have not already been erected, prefers a memorial stone or plaque with the names of all such veterans inscribed thereon, erected in a public place or cemetery in such municipality, the [veterans' home and hospital commission] COMMISSIONER shall cause such a suitable memorial to be erected in such municipality, which memorial shall be of such design and material and of such cost as the [commission] COMMISSIONER determines. If any municipality, organization or person contributes toward the erection of such memorial, the location of the same shall be determined by [said commission] THE COMMISSIONER and a committee of two persons appointed by the municipality, organization or individuals making such contribution. Any such memorial may include the names of any veterans who died or were killed in action as described in SAID section 27-120 and whose bodies have been brought home for interment whenever the municipality wherein such memorial is to be erected, or any organization or person, agrees with [said commission] THE COMMISSIONER to share proportionately the cost of erecting such memorial.

Sec. 19. Section 27-122a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The commissioner of mental health shall transfer to the veterans' home and hospital commission two certain pieces or parcels of land known as Plot # 6, containing thirty acres, more or less, situated on the north side of River Road in the town of Middletown county of Middlesex and state of Connecticut and being bounded and described as follows: As to the first piece or parcel; Commencing at a point in the northerly side of River Road being the southeast corner of the land herein described, thence

running N 31 degrees E a distance of 286 feet, more or less, to the right-of-way of the Penn Central Railroad (Valley Line), thence running westerly along said right-of-way a distance of 2720 feet, more or less, thence running southerly 80 feet, more or less, to River Road, thence running southeasterly along the northern boundary of River Road a distance of 530 feet, more or less, to a brook, thence running N 80 degrees E along the north side of River Road to a bend in said road a distance of 380 feet, more or less, thence S 82 degrees E a distance of 1160 feet, more or less along the northern side of River Road to the point and place of beginning. As to the second piece or parcel of land being a small piece or parcel located on the northerly side of the Penn Central Railroad (Valley Line) right-of-way, bounded on the northerly and westerly side by the Connecticut River and on the southerly side by said railroad right-of-way and on the easterly side by property of the Feldspar Corporation. Said two pieces or parcels of land contain a total area of thirty acres, more or less, and are shown on a map or plan titled, "The Connecticut State Hospital Middletown, Conn. Scale 1"=200' 1922".

(b) The commissioner of mental health shall transfer to the veterans' home and hospital certain land in the city of Middletown, under the supervision and control of said commissioner, in exchange for the transfer by the veterans' home and hospital commission to the commissioner of mental health of certain land comprised of pieces and parcels of the land described in subsection (a) of equal acreage, the exact boundaries of the lands to be exchanged to be decided by the commissioner of administrative services, with the advice and assistance of all parties within the six-month period following June 14, 1979.

(c) The land transferred to the commission under subsections (a) and (b) and not transferred to the commissioner of mental health and the Connecticut Valley Hospital shall be used by the [commission] COMMISSIONER OF VETERANS' AFFAIRS for the establishment and maintenance of a veterans' cemetery.

Sec. 20. Section 27-122b of the general statutes, as amended by public act 88-74, is repealed and the following is substituted in lieu thereof:

(a) As used in this section: (1) "Armed forces" includes the United States Army, Navy, Marine Corps, Air Force or Coast Guard or any women's auxiliary branch thereof, organized pursuant to an Act of Congress; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from, active service in the armed forces after service in time of war and who at the time of entering the armed forces was domiciled in this state or who was domiciled in this state at the time of his death and had been so domiciled for a period of not less than five years since such discharge or release; (3) "service in time of war" means service during the Spanish-American War, April 21, 1898, to August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4, 1902, but as to engagements in the Moro Province, to July 15, 1903; the Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification, September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to December 6, 1915; the punitive expedition into Mexico, March 10, 1916, to April 6, 1917; World War I, April 6, 1917, to November 11, 1918, but as

to service in Russia, to April 1, 1920; World War II, December 7, 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to October 27, 1953; and shall include service during the Vietnam era, as defined in subsection (a) of section 27-103; the invasion of Grenada, October 25, 1983, to December 15, 1983; and the peace-keeping mission in Lebanon, August, 1982, to March, 1984; and shall include service during such periods with the armed forces of any government associated with the United States.

(b) [(i)] (1) Any veteran may, by letter or other communication addressed to [said commission] THE COMMISSIONER, or by will, request that upon his death his body be buried in said veterans' cemetery, or [(ii)] (2) the spouse or other next of kin may apply to [said commission] THE COMMISSIONER to have the body of such veteran buried in said veterans' cemetery, and in either case such request shall be granted.

(c) The spouse of any veteran shall, upon similar request or application made to [said commission] THE COMMISSIONER, be buried in said veterans' cemetery provided only one such request or application shall be granted.

(d) The [commission] COMMISSIONER shall designate an area in said veterans' cemetery for veterans who, for religious reasons, require burial in a consecrated area.

Sec. 21. Section 27-125 of the general statutes is repealed and the following is substituted in lieu thereof:

Any veteran who is a citizen of this state and who, through disability or other causes incident to service in the armed forces in time of war, is in need of temporary financial assistance may be provided for by the [veterans' home and hospital commission] COMMISSIONER by a method similar to that provided in section 27-82, AS AMENDED BY SECTION 24 OF THIS ACT, the amount and continuance of such assistance to be discretionary with [said commission] THE COMMISSIONER. The widow, widower and each child, parent, brother or sister of any member of the armed forces, who died while in such active service, may be assisted by [said commission] THE COMMISSIONER if such person or persons are without sufficient means of support by reason of the death of such member of the armed forces. In carrying out its duties under the provisions of this section, [said commission] THE COMMISSIONER is directed to cooperate with such federal agencies as may aid in securing prompt and suitable treatment, care and relief of any such member of the armed forces or his or her dependents. The records of the agencies of the state shall be placed at the disposal of [said commission] THE COMMISSIONER and such agencies are directed to cooperate with and to assist [it and its agents in its duties] THE COMMISSIONER IN CARRYING OUT HIS DUTIES.

Sec. 22. Section 27-128 of the general statutes is repealed and the following is substituted in lieu thereof:

The governor is authorized to transfer, from time to time, as may be found expedient, funds existing in the soldiers, sailors and marines' fund and funds of the veterans' home and hospital [commission] from one of said funds to the other of said funds.

Sec. 23. Section 27-133 of the general statutes is repealed and the following is substituted in lieu thereof:

The adjutant general shall forward, gratis, copies of such roster and index, as follows: To the secretary of the state, two copies; to the state librarian, two copies; to the commissioner of human resources, two copies; to the chairman of the soldiers, sailors and marines' fund, two copies; to the [veterans' home and hospital commission] DEPARTMENT OF VETERANS' AFFAIRS, six copies; to each town clerk and each town or city department of public welfare, one copy; to the state departments and national headquarters of the American Legion, The Veterans of Foreign Wars of the United States, the Disabled American Veterans of the World War, the Yankee Division Veterans Association, Italian American War Veterans of the United States, Incorporated, The Polish-American Veterans of the World War, The Jewish War Veterans of the United States, The Veterans of World War I of the United States of America Department of Connecticut, Incorporated, and the Military Order of the Purple Heart, one copy each, to be kept in their respective offices; to the adjutant general of the United States army, the chief of the bureau of navigation of the United States navy and the commandant of the United States marine corps, two copies each; to the adjutant general of each state and territory of the United States and the District of Columbia, one copy each; to each college and each library in this state open to the public, one copy, and to the librarian of the United States, two copies; the remaining copies to be retained in the office of the adjutant general for future distribution and sale at a price of fifty dollars, including the index.

Sec. 24. Section 27-82 of the general statutes is repealed and the following is substituted in lieu thereof:

The [veterans' home and hospital commission] COMMISSIONER is authorized to administer the separation allowances provided for by this chapter and enforce the provisions relating thereto. [Said commission] THE COMMISSIONER shall determine the amount of such separation allowances to be paid and shall certify to the comptroller the amounts to be paid monthly. The comptroller shall draw his orders on the treasurer in payment thereof. [Said commission] THE COMMISSIONER may apply the provisions of sections 27-80 to 27-85, inclusive, to any person who enters the military or naval service of the United States through the provisions of any system of selective draft adopted by the federal government.

Sec. 25. Section 27-83 of the general statutes is repealed and the following is substituted in lieu thereof:

Separation allowances for such dependents shall be paid on a basis of not more than twenty dollars per month to the spouse of such soldier, sailor or marine and not more than six dollars per month for each minor child, under sixteen years, of such soldier, sailor or marine, provided, if such soldier, sailor or marine has neither a spouse nor a child, but has actually and solely dependent upon him or her for support a father or brother who is unable to support himself by his own labors, or a mother or sister so solely and actually dependent, or, if such soldier, sailor or marine has such father, brother, mother or sister actually and solely dependent upon him in addition to a spouse or child or children or both, it shall be within the discretion of the [veterans' home and hospital commission] COMMISSIONER OF VETERANS' AFFAIRS to pay a separation allowance or separation allowances to such additional dependents, or to such spouse or children, or

to both, provided no separation allowance paid to all dependents of one soldier, sailor or marine under the terms of this chapter shall amount in the aggregate to more than fifty dollars per month, and provided no person shall receive a separation allowance as a dependent of more than one soldier, sailor or marine.

Sec. 26. Section 27-84 of the general statutes is repealed and the following is substituted in lieu thereof:

Whenever a person enlists in the armed forces of the state, either in the national guard or other troops, he or she shall certify to the enlistment officer the name, sex and age of each person who, in the event of his or her being called upon to do active military or naval service, will be dependent upon him or her within the meaning of this chapter. Such information shall be filed with the commander of the unit to which such soldier, sailor or marine is assigned and with the adjutant general of the state, to be made a part of the state military records. When any member of the national guard or other troop of the state becomes responsible for the care of more dependents than have been previously certified to by him or her, such member shall give notice to the commander of the unit of the state forces to which he or she is attached, and such commander shall inform the adjutant general and also certify to the same in his own company records. All records of persons entitled to receive separation allowances under this chapter shall be based upon such information filed by Connecticut soldiers, sailors or marines with their organization commanders and with the adjutant general as herein described unless the [veterans' home and hospital commission] COMMISSIONER OF VETERANS' AFFAIRS finds such information to be incorrect, and separation allowances shall be paid to other persons only if in the opinion of said [commission] COMMISSIONER injustice will be done the bona fide dependents of Connecticut soldiers, sailors or marines if they are not so paid.

Sec. 27. Section 27-86 of the general statutes is repealed and the following is substituted in lieu thereof:

Whenever the provisions of this chapter relating to separation allowances become operative through the calling of the national guard or other forces into active service, the [veterans' home and hospital commission] COMMISSIONER shall pay such allowances as are to be paid out of any funds which the state may have available for such purposes and, if no funds are available, the state treasurer is authorized to borrow, in the name of the state, on notes, such funds as are necessary to administer such provisions. In either case said [commission] COMMISSIONER shall certify to the general assembly at its next regular session the amount expended, or, if such provisions are at that time operative, shall certify to the amount expended under them up to and including the first Wednesday of December preceding the convening of the general assembly, and in either case the general assembly shall appropriate sufficient funds to cover such expenditures; and, in the event of the existence of circumstances making such provisions still operative, the general assembly shall take the necessary steps to provide for the requisite expense.

Sec. 28. Section 3-2b of the general statutes is repealed and the following is substituted in lieu thereof:

The [veterans' home and hospital commission] COMMISSIONER OF VETERANS' AFFAIRS shall cause to be erected at the grave of any person who has served as governor, lieutenant governor, secretary of the state, treasurer, comptroller or member of the general assembly of this state and who died or dies subsequent to January 1, 1971, a footstone, marked with the seal of the state, the name of the deceased, the date of his death and the office or offices in which he served and the dates such service was rendered. The [commission] COMMISSIONER shall also provide for such grave a flag holder and a Connecticut state flag. At the request of the next of kin of any such officer or member of the general assembly, the commissioner of public safety shall provide an honor guard of six state policemen to attend the funeral and burial of such officer or member.

Sec. 29. Section 3-38 of the general statutes is repealed and the following is substituted in lieu thereof:

The treasurer is directed to hold the fund known as the posthumous fund of Fitch's Home for the Soldiers in trust, to [pay] CREDIT the income therefrom to the [veterans' home and hospital commission] DEPARTMENT OF VETERANS' AFFAIRS to be used for the welfare and entertainment of the patients of the veterans' home and hospital or any other home established by the state for the care of veterans and to pay from the principal thereof any claim which may be lawfully established against the same.

Sec. 30. Subsection (d) of section 17-295 of the general statutes is repealed and the following is substituted in lieu thereof:

(d) In the case of a veteran admitted to a state humane institution, other than a veteran with a service-connected disability for which he has been hospitalized in such institution, the determination of financial responsibility shall be referred by the commissioner to the [veterans' home and hospital commission for said commission's] COMMISSIONER OF VETERANS' AFFAIRS FOR A determination under reasonable standards as to the amount to be paid by the veteran, or his estate, or the payee of benefits on his behalf, for such care. Such determination may be reviewed and revised by [said commission] THE COMMISSIONER OF VETERANS' AFFAIRS in accordance with any change in circumstances, and shall be reviewed by it at least once a year. Said [commission] COMMISSIONER shall certify in writing to the commissioner of administrative services the charge so determined and any revision thereof. The relatives of such veteran shall not be liable as such for any part of the cost of his care in such institution.

Sec. 31. Section 45-204e of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The application for admission of a decedent's will to probate or for administration of a decedent's estate shall state that the decedent, or spouse or children of the decedent either did, or did not, receive aid or care from the state, which shall also include aid or care from the [veterans' home and hospital commission] DEPARTMENT OF VETERANS' AFFAIRS, whichever is true. A copy of each application which states that the decedent, or spouse or children of the decedent did receive such aid or care shall be sent by the court to the department of administrative services or the

[veterans' home and hospital commission] DEPARTMENT OF VETERANS' AFFAIRS, or both, as the case may be.

(b) In any such case the period for limitation of claims shall not begin to run against the state until such copy has been so sent, or, in the case of a deceased recipient, or a deceased spouse or parent of a recipient of such aid or care whose application alleged he was not such a recipient or the spouse or parent of such a recipient, until the application has been corrected to state his receipt of aid or care and a copy of the corrected application has been forwarded to the department of administrative services or [said commission] DEPARTMENT OF VETERANS' AFFAIRS by the court.

Sec. 32. Subsection (a) of section 45-266 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The surviving spouse of any person who dies, or if there is no surviving spouse, any of the next of kin of such decedent, or if there is no next of kin or if such surviving spouse or next of kin refuses, then any suitable person whom the court deems to have a sufficient interest may, in lieu of filing an application for admission of a will to probate or letters of administration, file an affidavit in the court of probate in the district wherein the decedent resided, stating, if such is the case, that all debts of the decedent have been paid in the manner prescribed by section 45-204c, at least to the extent of the fair value of all of the decedent's assets, when (1) such decedent leaves property of the type described in subsection (b) of this section and (2) the aggregate value of any such property as described in subsection (b) of this section does not exceed the sum of twenty thousand dollars. In addition such affidavit shall state that the decedent either did, or did not, receive aid or care from the state, which shall also include aid or care from the [veterans' home and hospital commission] DEPARTMENT OF VETERANS' AFFAIRS, whichever is true.

Sec. 33. Public act 88-74 shall take effect July 1, 1988.

Sec. 34. Subdivision (5) of subsection (b) of section 2c-2b and sections 27-104, 27-104a, 27-105, 27-113 and 27-114 of the general statutes are repealed.

Sec. 35. This act shall take effect July 1, 1988.