



THE AMERICAN LEGION DEPARTMENT OF NEW YORK

2015 LEGISLATIVE AGENDA

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*Status as of June 05, 2015 – 2015 Bill #'s Identified with an **

The American Legion – the largest organization of wartime veterans – is proud of its heritage of leadership in providing advocacy and help to veterans of our nation's armed forces, their families and dependents, and members of America's Armed Forces.

More than 200,000 members of New York State's American Legion Family are committed to providing vital support to our veterans and their families through direct hands-on counseling services, advocacy, and outreach in local communities. Legionnaires recognize our veterans have earned and deserve the best possible care and benefits that provide for a better quality of life following their service to God and Country.

Countless numbers of veterans have – and continue to – come home physically and emotionally scarred by the horrors of war. The American Legion's legacy of caring for veterans continues today with its efforts to introduce and support legislation – not just nationally – but statewide that can address the needs of our veterans and their families.

Issues confronting our newest generation of veterans often are immediate, and literally a matter of life or death. Today's returning warriors are battling homelessness, suicide and need for suitable employment. The Department of New York American Legion recognizes these concerns and calls upon our New York State Legislature and Governor to join us in reaching out and helping our veterans' community by enacting legislation or policies designed to meet those needs.

The American Legion Department of New York assembled in convention July 17, 18, 19, 2014 in Albany unanimously endorsed resolutions of importance to our veterans and families -- resolutions seeking support of our elected representatives in Albany, including the following:

Resolution #33: Requests the Governor and New York State Legislature to create and fund a Traumatic Brain Injury (TBI) and Post Traumatic Stress Disorder (PTSD) Biological Repair Treatment and Recovery Law. (Priority Legislation)

The signature wounds of our veterans serving in Iraq and Afghanistan are TBI and PTSD, for which the Department of Defense (DO) and the United States Department of Veterans Affairs (VA) medical establishments refuse to provide all known effective treatments – among the most promising being Hyperbaric Oxygen Therapy Treatment (HBOT), which has been internationally recognized as a viable treatment for mild TBI and PTSD at an overall lower cost of treatment than a lifetime of unproven prescription drugs.

Traditionally TBI and PTSD have been treated as a psychiatric disorder, but growing evidence suggests that mild TBI and PTSD may be the result of multiple concussive exposures and should therefore be treated as medical conditions, which may be healed by providing extra oxygen to the brain. The American Legion Department of New York believes all avenues of treatment should be explored and that HBOT be incorporated with counseling and rehabilitation program.

Successful treatment of mild TBI and PTSD would significantly reduce suicide, homelessness, unemployment, family disruption and its economic loss among veterans carrying those unseen scars of war. Returning afflicted veterans to productive tax-paying citizens and reducing their dependency on social services is a win-win result for all New Yorkers.

A5542* Englebright No Same as
Public Health Law

TITLE....Provides for medicaid reimbursement for outpatient hyperbaric therapy for treatments provided since 1996 by hospitals outside New York city in certain counties

02/27/15 Referred to health

Resolution #32: Calls for establishing State Veterans Cemeteries in communities that successfully complete all legal prerequisites in New York. Such cemeteries would provide for the proper and respectful internment of veterans in areas not adequately served by national or local veteran's cemeteries. (Priority Legislation)

Resolution #23: Requires every school district in New York to offer qualified veterans a school tax exemption on their primary property of residence. The Governor signed into law on December 18, 2013 legislation that allows school districts to **offer** the alternative veterans property tax exemption (RPTL 458-a). Not all school districts have held a public hearing to consider the law, which is optional for the local districts. (Priority Legislation)

Resolution #7: Request creation of a New York State World War I Centennial Commission to ensure a suitable observance of the "war to end all wars," and to provide for the designation of memorials to those members of the United States Armed Forces who served in that war. Fiscal impact should be minimal.

Resolution #8: A2421* Brindisi – 06/03/15 Amend & Recommit to Codes, Print # 2421a – S3914* Griffo 06/02/15 – Referred to Codes, Amend & Recommit to Codes, Print # 3914A

Justice for Veterans. Create legislation requiring all veterans within the criminal justice system be identified as "veterans" and that any military service-connected condition sustained likewise be identified. In appropriate cases, the veteran should be diverted from the criminal justice system into appropriate treatment for his/her condition.

Resolution #10: Suicide is epidemic among our veterans. The American Legion urges Congress and the President to sign into law the Suicide Prevention for American Veterans Act, or similar acts, that will expand and improve care provided for veterans and service members with mental health issues, or who are at risk for suicide. We also urge the New York State Legislature and state agencies to keep funding and supporting programs and groups that reach out to men and women in uniform, veterans and their families through family care programs, suicide prevention programs, job fairs, and public service announcements, bringing about awareness of PTSD and suicide prevention.

BOYS STATE: American Legion Boys' State is a unique program that teaches high school juniors leadership, citizenship training, and individual responsibility to community, state and nation, while offering a perspective of the practical operation of government. A \$150,000 state grant included in the 2014 SUNY budget helped offset overall costs of the 2014 program in which more than 1,000 boys participated at SUNY Morrisville. Continuation of the state grant is encouraged to ensure financial well-being for this vital program.

LEGISLATION

The following legislation supported by The American Legion Department of New York was introduced, but not enacted, during 2013- 2014 Legislative Session. The American Legion Department of New York encourages resubmission and support of this legislation during the 2014-2015 session. (Bill numbers are from 2013-2014 and will change if reintroduced in 2015)

PERFORMANCE OF A STUDY REGARDING HOMELESS VETERANS IN THE STATE OF NEW YORK

A434* – Rozic- 04/27/15 Passed Assembly, Delivered to Senate & Referred to Veterans Homeland Security & Military Affairs – S2575* – Parker 01/26/15 – Referred to Veterans Homeland Security & Military Affairs

Would require a study be conducted by the New York State Division of Veterans' Affairs, the Office of Temporary Disability Service, Department of Labor and the Office of Children and Family Services to determine the number of homeless persons in New York State who are veterans. It will also determine the number of offspring of the veterans and current placement, and whether such veterans suffered military sexual trauma.

REPEAL OF THE NEW YORK STATE SECURE AMMUNITION AND FIREARMS ACT (SAFE) *(Resolution # 24 at NYS Convention July 18- 20, 2013 in Niagara Falls)*

A2651* – Katz -01/12/15 Referred to Codes –S1476* –Marchione –01/20/15 -Referred to Codes

An act to repeal Chapter 1 of the laws of 2013, amending the criminal procedure law and other laws relating to suspension and revocation of firearms licenses.

OFFICIALLY RENAME THE STATEN ISLAND EXPRESSWAY TO THE POW/MIA MEMORIAL HIGHWAY *(Resolution # 8 at NYS Convention July 18-20, 2013 in Niagara Falls)*

A4377* Cusick – 01/30/15 Referred to Transportation - S2681* LANZA –01/27/15 – Referred to Investigations & Government Operations.

An Act to amend the state law, the highway law and the administrative code of the city of New York in relation to renaming the Staten Island Expressway the "***POW-MIA Memorial Highway***"

MILITARY SERVICE CREDIT

A4936 Cusick–05/05/14–Amend & Recommit to Ways & Means –Print # 4936c -S4380-C-Maziarz –05/12/14–Amend & Recommit to Civil Service & Pensions –Print # 4380C

This bill would allow eligible members of the public retirement system to buy back service credit for their military service with two (2) years of credited service instead of five (5) years.

Currently members of the public retirement system may buy back prior service credit with two years of credited service. Members in the public retirement system who wish to buy back military service credit cannot do so until they have five years in the system. This legislation would amend Chapter 548 of the Laws of 2000 to give those members the option to buy back their military time with two years of credited service.

FREE HUNTING, FISHING & TRAPPING LICENSES FOR ACTIVE DUTY SERVICE MEMBERS

A5292* - Giglio – 02/17/15 - Referred to Environmental Conservation - S3058* - Young – 05/28/15 Reported & Committed to Finance.

Provides for free hunting, fishing, and trapping licenses to residents of New York State who are active duty members of the US Armed Forces regardless of where said person is stationed.

WAIVES CERTAIN FISHING AND HUNTING FEES FOR MEMBERS OF THE UNITED STATES ARMED FORCES IN ACTIVE SERVICE STATIONED WITHIN THE STATE

A5078* Zebrowski –02/12/15 Referred to Environmental Conservation – No same as

This act establishes that members of the US armed forces in active service who are stationed within New York State and active members of the state militia; may receive certain licenses, such as fishing, trapping, small and big game free of charge. For residents who are blind, fishing licenses may be obtained free of charge.

RELATES TO USE OF PERSONAL CONFIDENTIAL INFORMATION RECEIVED FROM VETERANS OR FAMILY MEMBERS OF VETERANS RECEIVING SERVICES FROM THE STATE

A5514* Cusick – 04/21/15 Passed the Assembly, Delivered to the Senate & Referred to Veterans Homeland Security & Military Affairs - S2793* Parker – 01/29/15 – Referred to Veterans, Homeland Security & Military Affairs

Requires all subdivisions of the state to, when dealing with a client or customer, inquire as to whether or not he/she or a family member is a veteran, and, if so, notify them of the tremendous additional resource available in the Division of Veterans Affairs (NYSDVA).

REQUIRES ANNUAL REPORTS TO CONTAIN INFORMATION SPECIFIC TO VETERAN-OWNED SMALL BUSINESSES

A4487* Ramos – 06/01/15 – Reported & Referred to Rules – S656* Kennedy – 05/13/15 – Amended on Third Reading – 656A

Being Reviewed Because Of Reporting Requirement Pursuant to Chapter 22 of the Laws of 2014, The Service-Disabled Veteran-Owned Business Act Governor's Program Bill #35.

EXTENDS THE VETERANS SERVICE CREDIT LAW of 2000 TO ALL VETERANS WHO HAVE SERVED IN THE MILITARY

A4313* - Paulin – 04/22/15 Reported to Ways & Means Committee – S4124* - Larkin – 05/27/15 Ordered to Third Reading – Cal.999, Passed Senate, Delivered to Assembly & Referred to Governmental Employees - No "Same As" yet, minor quirks between these Bills being worked out.

Provides up to three years of service credit to members of public retirement systems of the state for military service rendered during times of peace; removes requirement that such military service occur during specified periods of hostilities; requires such members have at least five years of credited service, not including military service; appropriates \$31,500,000 therefor.

The bill was unanimously passed by the Senate (43 co-sponsors) and by 133 - 1 in the Assembly (97 co-sponsors) in 2014. **Vetoed by Governor, Memo-484.**

MEMORANDUM OF SUPPORT

An Act to amend Section 1517 of the Not-For-Profit Corporation Law, in Relation to Disposition of Unclaimed Cremated Remains of a Veteran

A7384* Ortiz – 05/07/15 Referred to Corporations, Authorities, & Commissions - S3549* - Parker – 04/28/15 – Passed Senate, Delivered to Assembly & Referred to Corporations, Authorities, & Commissions