

MILITARY ISSUES

Employment

HB 13-1008 (*Enacted*)

Preference in Hiring for Disabled
Veteran's Spouse

HB 13-1123 (*Enacted*)

Waive Confidentiality Unemployment
Benefits

Facilities

SB 13-037 (*Postponed Indefinitely*)

Pinon Canyon Maneuver Site Land
Purchase Authority

SB 13-040 (*Enacted*)

Complete Cemetery Expansion
at Homelake Center

SB 13-235 (*Enacted*)

Transfer to the Colorado State
Veterans Trust Fund

Military Families

SCR 13-001 (*Postponed Indefinitely*)

Disabled Veterans Exemption
for Surviving Spouses

HB 13-1024 (*Enacted*)

Income Tax Modification for Military
Family Relief Fund Grants

HB 13-1194 (*Enacted*)

In-state Tuition for Military
Dependents

HB 13-1200 (*Enacted*)

Uniform Deployed Parents Custody
Visitation Act

Motor Vehicles and Transportation

SB 13-060 (*Enacted*)

Civil Air Patrol Motor Vehicle
License Plate

SB 13-120 (*Enacted*)

Navy SEAL Motor Vehicle
License Plate

HB 13-1011 (*Enacted*)

Repeal Fee Veteran's Identifier
Driver's License

HB 13-1119 (*Enacted*)

Veteran's Identification Card
and Driver's License

SJR 13-032 (*Adopted*)

SSG Christopher J. Birdwell
Memorial Highway

SJR 13-033 (*Adopted*)

Designating CO HWY 67 POW/MIA
Memorial Highway

HJR 13-1009 (*Adopted*)

Rename Placerville Bridge for
Pfc. Paul L. Haining

Wounded Warriors

HB 13-1232 (*Enacted*)

Warrior Transition Battalion
Fishing Licenses

Miscellaneous

SB 13-005 (*Enacted*)

Fort Carson Police Officers Peace
Officer Status

HB 13-1139 (*Enacted*)

Repeal Various Obsolete Entities

Resolutions

SJR 13-034 (*Adopted*)

Recognizing World War II Veterans

HJR 13-1006 (*Adopted*)

Military Day

HJR 13-1008 (*Adopted*)

Honoring the U.S.S. Pueblo

HJR 13-1010 (*Adopted*)

60th Anniversary of the End of the
Korean War

HJR 13-1011 (*Adopted*)

Fallen Soldiers Resolution

HJR 13-1012 (*Adopted*)

Guard and Reserve Retirees
Designated Veterans

During the 2013 legislative session, the General Assembly considered numerous issues regarding members of the armed forces and their families, as well as Colorado veterans. A summary of the legislation considered by the General Assembly pertaining to military issues follows.

Employment

The Colorado Constitution contains a hiring preference for employment with the state for military veterans and the surviving spouses of veterans. The preference is five points added to comparative examinations for veterans, surviving spouses of veterans who would have been eligible for the hiring preference, and surviving spouses of those who died during military service or as a result of service-related injuries. **House Bill 13-1008** extends the hiring preference to spouses of disabled veterans, adding five points to the job candidate's comparative analysis when a numerical method is used, and requiring that the candidate be added to the interview eligible list when a nonnumerical method is used. The act's hiring preference may not be used with respect to a promotional opportunity.

The Department of Labor and Employment has privacy rules that prevent it from giving out information on job seekers to potential employers. **House Bill 13-1123** allows veterans and others to waive confidentiality for certain information, including the person's name, telephone number, e-mail address, and address so that the department may make this information available to employers. The act comports state law to existing practice.

Facilities

Construction of five new readiness centers (armories) around the state was approved in previous legislative sessions to accommodate a new, 800-soldier infantry battalion awarded to Colorado by the federal National Guard Bureau in 2007. Construction on three of the facilities, in Fort Lupton, Grand Junction, and Windsor, is complete, while facilities in north Colorado Springs and Alamosa are under construction. Legislation passed in 2010 allowed the balance of the State Veterans Trust Fund to be used for construction of some of the armories, and stipulated that money would be repaid with interest. **Senate Bill 13-235** transfers \$3.9 million from the General Fund to the State Veterans Trust Fund as repayment.

The Department of Human Services (DHS) is responsible for operating the Homelake Military Veterans Cemetery at the Colorado State Veterans Center in Homelake, where Colorado residents who served honorably in the military, and spouses and dependent parents of honorably discharged service members, may be buried. **Senate Bill 13-040** expands the cemetery to include three adjacent land parcels, and requires the DHS to complete expansion work by July 1, 2014, with a phased approach that allows incremental implementation as funding becomes available and allows the department sufficient capacity to conduct 15 interments per year. The act allows donors to the cemetery to specify a purpose for the donation, and stipulates that the DHS may not unreasonably delay a project that is sufficiently funded. Under the act, the department must report to the House and Senate State, Veterans, and Military Affairs Committees by January 1, 2015, concerning the status of the phased expansion and certain aspects of cemetery maintenance.

Pinon Canyon Maneuver Site is a 236,000-acre U.S. Army training site for Fort Carson located in southeastern Colorado. In recent years, residents adjacent to the site have expressed concerns about potential expansion of the site. **Senate Bill 13-037**, which was postponed indefinitely, would have required the Governor and the Attorney General to negotiate with the

federal government for the state purchase of the site or any portion of it. If the parties entered into an agreement for sale of the site, the bill would have created the Pinon Canyon Maneuver Site Land Purchase Authority. The authority would have been authorized to finance the property's purchase and required to offer the land for sale, with first consideration going to previous land owners or their heirs.

Military Families

The Colorado National Guard Foundation makes grants from the Military Family Relief Fund to members of the National Guard, reservists, military personnel stationed in Colorado, and the families of these service members to mitigate financial hardships associated with deployment or being called to active duty. The taxable status of these grants under federal law was previously ambiguous. For income tax years commencing on or after January 1, 2014, **House Bill 13-1024** subtracts from the federal taxable income of a Colorado taxpayer, for purposes of determining the taxpayer's Colorado income tax liability, any amount of a grant received by the taxpayer from the fund that is included in the taxpayer's federal taxable income.

State law allows a member of the armed forces to obtain in-state tuition upon moving to Colorado on a permanent change-of-station basis or temporary assignment to duty in Colorado. **House Bill 13-1194** extends this eligibility to the dependents of service members who move to Colorado on a permanent change-of-station basis, including spouses. To qualify, a spouse must have been married to the service member both at the time of the move and when the spouse applied for in-state tuition, and a child must be under 22 years of age and enroll in a public higher education institution within 10 years after the service member's stationing in Colorado. Dependents who qualify for in-state tuition pursuant to the bill are eligible for College Opportunity Fund stipends.

House Bill 13-1200, which was recommended by the Colorado Commission on Uniform State Laws, creates the Uniform Deployed Parents Custody and Visitation Act. The bill sets forth provisions addressing custodial responsibility, care taking, and decision-making authority when a parent who is a uniformed service member is deployed. Under the bill, a deploying parent's residence is not deemed to have changed due to the deployment. The bill sets forth requirements for notification about an impending deployment and plans for fulfilling custodial responsibilities during the deployment. HB 13-1200 allows parents to enter into an interim custodial agreement due to a deployment, and sets out the terms and conditions that must be addressed in such an agreement. Other aspects of interim agreements are addressed by the bill, including duration and modifications. The bill sets out the judicial procedure for granting interim custodial responsibility that must be followed due to a deployment, including provisions for expedited custodial hearings and allowance for testimony by electronic means to accommodate a deployment. The judicial procedure provisions in the bill include the required contents of an interim custody order. The bill sets out procedures regarding interim custody agreements and court orders that are applicable when a parent returns from a deployment. HB 13-1200 also includes various provisions addressing the care taking of a child by a nonparent due to a service deployment.

Referendum E, approved by the voters in 2006, expanded the homestead exemption from property taxation to disabled veterans. Under the exemption, 50 percent of the first \$200,000 of value of qualified taxpayers' residences is exempt. **Senate Concurrent Resolution 13-001**, which was postponed indefinitely, would have placed a referendum on the 2014 statewide ballot that expanded the homestead exemption to the surviving spouses of qualifying disabled veterans for up to three years after the death of the veteran. The resolution would have allowed surviving spouses to claim the exemption if they had not remarried and met certain federal income qualifications.

Motor Vehicles and Transportation

Four bills adopted by the General Assembly in 2013 pertain to military-related special license plates or driver's licenses or state-issued identification carried by veterans. **Senate Bill 13-060** creates the Civil Air Patrol special motor vehicle license plate, available to all applicants who pay an additional one-time \$50 fee, \$25 of which is credited to the Licensing Services Cash Fund and \$25 of which is credited to the Highway Users Tax Fund. The Civil Air Patrol is an all-volunteer auxiliary of the United States Air Force, which engages in aerospace education, cadet programs, and emergency services. **Senate Bill 13-120** creates the Navy SEAL special license plate, which are available to honorably discharged, retired, reserve, or active members of the Navy SEALs. The fee structure for the plate is the same as for the Civil Air Patrol plate.

Upon payment of a \$15 fee, House Bill 10-1209 allowed a member or veteran of the armed services possessing proof of service to request that an emblem be placed on his or her driver's license or state identification card identifying the branch of service with which the service member or veteran serves or has served. **House Bill 13-1011**, which was recommended by the Transportation Legislation Review Committee, eliminates the \$15 fee for the identifier. Implementation of the identifier began in November 2012. At no cost to the applicant, **House Bill 13-1119** allows an honorably discharged veteran to obtain a veteran identifier on his or her driver's license or state-issued identification card.

The General Assembly adopted three resolutions concerning the military-related designation of transportation infrastructure. **Senate Joint Resolution 13-032** designated a portion of Highway 34 near Windsor as the "SSG Christopher J. Birdwell Memorial Highway." Staff Sergeant Birdwell was killed in Afghanistan by enemy fire in August 2012. **House Joint Resolution 13-1009** renames the Leopard Creek Bridge in Placerville as the "Pfc. Paul L. Haining Memorial Bridge." Private First Class Haining was killed in a July 1970 landmine explosion in Vietnam. **Senate Joint Resolution 13-033** designates an 18.7-mile portion of Colorado Highway 67 between Divide and Cripple Creek the "POW/MIA Memorial Highway." These resolutions allow the Department of Transportation to use gifts, grants, and donations to install signage for the designated infrastructure.

Wounded Warriors

The U.S. Army created the Warrior Transition Battalion at Fort Carson to provide support to soldiers who require at least six months of rehabilitative care and complex medical management. **House Bill 13-1232** expands the free fishing license program to persons assigned to the Warrior Transition Battalion. Under the program, free fishing licenses are also available to active or retired members of the United States armed forces who are permanently disabled, resident patients at certain care facilities, Purple Heart recipients, and Colorado residents on leave visiting home.

Miscellaneous

Senate Bill 13-005 designates Fort Carson police officers as peace officers of the state. The bill allows Fort Carson police officers to be certified by the Peace Officer Standards Training Board. The Fort Carson police are a federal civilian law enforcement agency whose jurisdiction includes Fort Carson and the Pinon Canyon Maneuver Site, including all related fixed and mobile properties.

House Bill 13-1139 repeals a number of entities deemed obsolete. One of the repealed entities was the Gulf War Syndrome Advisory Committee, created in 1998 to advise the Department of Public Health and Environment about the Gulf War Syndrome Registry. The registry was created to catalog those affected by Gulf War Syndrome.

Resolutions

The General Assembly adopted five resolutions during the 2013 legislative session honoring veterans and members of the armed services. The General Assembly's annual Military Day resolution, **House Joint Resolution 13-1006**, acknowledges and thanks the state's veterans, current military service members, and their families. The resolution also encourages the celebration of Military, Veterans, and MIA/POW Appreciation Day, and remembers prisoners of war and those missing in action from previous conflicts.

House Joint Resolution 13-1011 recognizes those who have served in Iraq and Afghanistan and honors fallen soldiers from Colorado, memorializing those who made the ultimate sacrifice in Iraq in Operation New Dawn and in Afghanistan in Operation Enduring Freedom since January 2012. The resolution remembers nine soldiers who were based at Fort Carson and five soldiers who called Colorado home but were stationed elsewhere.

Senate Joint Resolution 13-034 honors those of the "Greatest Generation" who served during World War II, and designates certain dates in 2013 as World War II remembrance days in Colorado.

The General Assembly recognizes the crew of the U.S.S. Pueblo in **House Joint Resolution 13-1008** and designates January 23 of each year as U.S.S. Pueblo Day. The resolution also calls for North Korea to return the ship to the United States. **House Joint Resolution 13-1010** recognizes the 60th anniversary of the end of the Korean War and honors those members of the armed forces who have served in Korea.

A sixth resolution, **House Joint Resolution 13-1012**, urges Congress to designate to include retirees of the National Guard and Reserves within the federal definition of "veteran." Under federal law, those who have served in these branches are not considered veterans, and thus are not eligible for certain federal benefits.