

## **NAVY ENLISTED RESERVE ASSOCIATION CONFERENCE**

Good Morning.....and thank you for that nice introduction. It is indeed an honor to be among your ranks today at your Northeast/Mid-Atlantic Regional Conference here in Allentown Pennsylvania. I want to thank you for inviting me to address your noble body.....and I want to personally thank each and every one of you for your honored military service to your country.....as well your continued service to your brethren service men and women, through the National Enlisted Reserve Association.

In my capacity as Majority Chairman of the PA House Veterans Affairs and Emergency Preparedness Committee.....my committee members and I have direct oversight on a multitude of issues dealing with our active duty and reserve military, our National Guard, Veterans, Emergency Preparedness, Homeland Security and a vast array of related issues and subject matters. I must admit though.....one of my true passions is working on legislation and programs that are of positive impact to our military personnel and their families.

As a state representative, I do not have direct oversight on Federal DOD or VA

programs.....which are the base programs to protect the rights and immunities of our active duty military, our military reserves and our veteran community. That is not to say that the individual states and territories of this country do not play a vital role.....quite the contrary. It is the role of each state to not only codify those federal programs into state codes to assist with implementation.....but to also build upon those federal laws and expand on these rights and immunities.....where possible.

For instance.....the Commonwealth of Pennsylvania over the past 15 years or so has undergone a “lessons learned” period during the

1990-91 Persian Gulf War and now with the war in Iraq, Afghanistan and the Global war on terrorism. Through interaction with groups such as yours.....and other military, governmental, private industry, concerned citizens and others.....we were able to alter our state laws to conform with the time period in which we now live. A time where the “operation-tempo” of the “citizen soldier” has increased to new heights.....and the deployments for our active duty and reserve troops have become increasingly tasking for them, their families and their private sector employers.

Therefore, over the past several years our committee worked on the following initiatives which were then enacted into law.

- **Act 65 of 2004**

Amends Title 51 (Military Affairs) by adding Section 7315.1 which would allow a member of the Armed Forces, a full-time National Guard member or a Civil Service technician with a National Guard unit, to terminate a housing rental agreement in certain “non-active duty for war” situations.

- **Act 195 of 2004**

Amends Title 51 (Military Affairs) Section 7101 by adding language that ensures that the

provisions of the state's veterans' preference law are afforded to military reservists who are federally activated for war or armed conflict, then released from that active duty to serve out their remaining service obligation in the military reserves.

This Act clears up a gray area in the law which prevents the State Civil Service Commission from awarding veterans preference to a recently deactivated reservist (i.e. Iraq conflict) because he/she was "released from active duty" rather than "honorably discharged" from such military service, as was required in prior state law.

- **Act 210 of 2004**

Extends the Postsecondary Educational  
Gratuity Program to children of individuals on  
Federal or State active military duty who are  
killed in the line of duty. Under this program,  
the costs of room and board, as well as tuition,  
were waived for the children of police  
officers, National Guard members,  
firefighters, EMS personnel, corrections  
employees and, under this Act, Federal or  
State active duty military personnel.

- **Act 59 of 2005**

This legislation amends Act 101 of 1976, known as the “Firefighter, Ambulance Service, Rescue Squad, Law Enforcement or National Guard Line of Duty Death Benefit” by inserting a provision that would include a heart attack or stroke, that occurred within 24 hours of a physical training exercise or emergency response, as an eligible line of duty death for the purposes of the state death benefit program. This change would make state law similar to the recently changed federal provision that considers heart attacks and strokes, within this 24 hour period, to be a compensable line of duty death for the federal



death benefit program. This legislation also increased the death benefit to \$100,000.

- **Act 65 of 2005**

This legislation amends Title 51 (Military Affairs) by establishing the Military Family Relief Fund. Grants from this fund will be used to assist members and their families of Pennsylvania service members that have an immediate demonstrable financial need to provide themselves and their families with food, shelter, clothing, required medical care and other necessities of life.

- **Act 40 of 2005**

This legislation amends Act 2 of 1971 (Tax Reform Code) by providing for contributions to the Military Family Relief Fund via a check off box on Pennsylvania personal income tax return form. The Department of Revenue is required to provide a space on the face of the Pennsylvania individual income tax return form for an individual to contribute to the Military Family Relief Fund.

- **Act 60 of 2005**

This legislation amends Title 51 (Military Affairs) by adding subsections 7317(f)(g), which will further clarify that insurance companies are prohibited from canceling,

renewing or imposing a surcharge or other rate penalty or removal of any premium discount for deferral of motor vehicle coverage by a military reservist that is called to active duty or state active duty for a period of more than 30 days. This legislation, in keeping with the original intent of the law, further clarifies that the removal of premium discounts for these activated military personnel is a “penalty,” as referenced in Section 7317(b), thus it is prohibited.

- **Act 62 of 2005**

This legislation amends Title 51 (Military Affairs) Section 4102 by adding an additional

15 days of annual paid leave for PA Military Reservists, who are employed by the Commonwealth and its instrumentalities, when they are engaged in training or other military duty under orders by federal or state law. The addition of 15 paid leave days for municipal government/political subdivision employed Reservists remains at the discretion of each municipal government/political subdivision.

- **Act 20 and 21 of 2005**

This legislation amends the Game and Wildlife Code to provide for an active duty Military Reservists to receive a resident

hunting or fishing license for a \$1.00 charge. The requirements for this license would be that the individual be a resident of the Commonwealth of Pennsylvania and this exemption shall not exceed one year after discharge from active duty.

In regard to legislation that we are currently working on.....and I anticipate will be enacted into law later in the year.....we have moved the following bills onto the Senate.

**House Bill 1173** – (Stern) This legislation amends Title 51 (Military Affairs) Section 7316 by providing for student loan interest

forgiveness for certain active-duty military personnel. This legislation provides that the Pennsylvania Higher Education Assistance Agency (PHEAA) pay for all accrued interest on student loans for members of the PA National Guard or other reserve component during their service in a national or state emergency.

**House Bill 1277** (Marsico) This legislation amends Title 51 (Military Affairs) by establishing the Pennsylvania Childcare Assistance Program. The program is established to pay for childcare for Pennsylvania residents who have one or more parents currently

federally deployed for wartime service. This program provides that the Commonwealth will pay for needed childcare that is as a result of the military member's active duty status.

**House Bill 1241** – (Payne) Amends the Domestic Relations Code to provide an exception to the general rule which requires marriage license applicants to appear in person and be examined under oath by the issuing authority. This new exception allows a member of the active military, reserves or PA National Guard, who is deployed in an active military operation or national emergency, to forward an

affidavit which verifies all of the information required by the general rule.

Overall, it has been a very active couple of years for the Pennsylvania General Assembly.....as well as for the Legislatures of numerous other states. The bottom line is that we must partner with the Federal government and its pertinent agencies in regard to assisting the needs of our active duty and reserve military personnel.....whether it be in peacetime, during a war.....or during a federal, state or local emergency situation within our state borders.



There is much more work to be done.....and I assure you that state governments across the country will continue to move forward on these important endeavors.....on behalf of our military personnel and their families.

We...the citizens of this great nation.....truly are the benefactors of your great sacrifices.....and on behalf of myself and the Pennsylvania House of Representatives.....I want to personally thank each and everyone of you for your service to your country.....and your commitment to the welfare of its citizenry.

In the way of any parting words of advice to your organization.....I would simply say.....keep up the great job that you are doing as an advocacy group for enlisted reservists.....both active and retired. Your presence here today speaks volumes about your commitment to one another.....and your commitment to the Navy, Coast Guard and Marine Corps. I urge you to further communicate with your various federal and state legislators on the issues that you deem important.....communications are indeed an important tool of an organization such as yours.

Once again.....thank you for inviting me here this morning to address your body at your Northeast/Mid-Atlantic Regional Conference. I look forward to answering any questions you may have.....as well as meeting many of you after the question and answer period.

Thank you.