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H.246

Introduced by Representatives Canfield of Fair Haven and Grad of Moretown

Referred to Committee on

Date:

Subject: Internal security and public safety; rights and preferences of veterans;
definition

Statement of purpose of bill as introduced: This bill proposes to define the
term veteran.

An act relating to veterans

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 20 V.S.A. § 1541 is added to read:

§ 1541. DEFINITIONS

As used in this chapter:

(1)(A) “Veteran” means one of the following:

(i)(I) an individual who served in the U.S. Armed Forces or served
in the National Guard on full-time National Guard duty under Title 10 or
Title 32 of the United States Code or under chapter 29 of this title for at least
90 days of active service of which at least one day was during wartime; and

(II) whose last discharge or release from his or her wartime
service was under honorable conditions;

1 (ii) an individual who served in the U.S. Armed Forces or
2 National Guard for at least one day during wartime and was awarded a
3 service-connected disability or a Purple Heart, or who died in wartime service
4 under conditions other than dishonorable;

5 (iii) an individual who served in the U.S. Merchant Marine in
6 armed conflict between December 7, 1941, and December 31, 1946, and
7 received an honorable discharge from the U.S. Coast Guard, U.S. Army, or
8 U.S. Navy; or

9 (iv)(I) an individual who served in the U.S. Armed Forces for at
10 least 180 days of active service and whose last discharge from active service
11 was under honorable conditions; or

12 (II) an individual who served in the U.S. Armed Forces for at
13 least one day and was awarded a service-connected disability or who died in
14 such service under conditions other than dishonorable.

15 (B) “Veteran” does not mean:

16 (i) an individual who was discharged from the U.S. Armed Forces
17 under the provisions of 8 U.S.C. § 1426;

18 (ii) an individual who has been found guilty of willful desertion;

19 (iii) an individual whose only service in the U.S. Armed Forces
20 was as a member of the U.S. Coast Guard Auxiliary or as a temporary member
21 of the U.S. Coast Guard reserve, or both; or

1 (iv) an individual whose last discharge or release from the U.S.
2 Armed Forces was dishonorable.

3 (2) “Wartime service” means service performed by a “World War II
4 veteran,” a “Korean veteran,” a “Vietnam veteran,” a “Lebanese peace keeping
5 force veteran,” a “Grenada rescue mission veteran,” a “Panamanian
6 intervention force veteran,” a “Persian Gulf veteran,” or a member of the
7 “WAAC.”

8 (3) “World War II veteran” means an individual who served at least one
9 day of active service between September 16, 1940, and July 25, 1947, and was
10 awarded a World War II Victory Medal.

11 (4) “Korean veteran” means an individual who served at least one day of
12 active service between June 25, 1950, and January 31, 1955, and any person
13 who has received the Korea Defense Service Medal pursuant to 10 U.S.C.
14 § 3756.

15 (5) “Vietnam veteran” means:

16 (A) an individual who served at least one day of active service during
17 the period commencing August 5, 1964, and ending on May 7, 1975;

18 (B) an individual who served at least 180 days of active service in the
19 U.S. Armed Forces during the period between February 1, 1955, and August 4,
20 1964; or

1 (C) an individual who served at least one day of active service in the
2 U.S. Armed Forces between February 1, 1955, and August 4, 1964, and was
3 awarded a service-connected disability or a Purple Heart, or who died in said
4 service under conditions other than dishonorable.

5 (6) “Lebanese peace keeping force veteran” means any person who
6 served at least one day of active service during the period between August 25,
7 1982, and December 1, 1987, and received a campaign medal for that service.

8 (7) “Grenada rescue mission veteran” means any person who served at
9 least one day of active service between October 25, 1983, and December 15,
10 1983, and received a campaign medal for that service.

11 (8) “Panamanian intervention force veteran” means any person who
12 served at least one day of active service between December 20, 1989, and
13 ending January 31, 1990, and received a campaign medal for such service.

14 (9) “Persian Gulf veteran” means any person who served at least one
15 day of active service during the period commencing August 2, 1990, and
16 ending on a date to be determined by Presidential Proclamation or Executive
17 Order and concurrent resolution of the U. S. Congress.

18 (10) “WAAC” means any woman who served in any corps or unit of the
19 United States established for the purpose of enabling women to serve with, or
20 as auxiliary to, the U.S. Armed Forces.

1 (A) those applicants who meet the definition of a veteran as defined
2 ~~by 38 U.S.C. § 101~~ in 20 V.S.A. § 1541 and who received an honorable
3 discharge; and

4 * * *

5 Sec. 7. 14 V.S.A. § 3101 is amended to read:

6 § 3101. DEFINITIONS

7 As used in this chapter:

8 * * *

9 (10) "Veteran" shall have the same meaning as in 20 V.S.A. § 1541.

10 Sec. 8. 18 V.S.A. § 906c is amended to read:

11 § 906c. VETERANS AND SERVICE MEMBERS RETURNING FROM
12 DEPLOYMENT; PRIOR POSITIONS

13 (a) As used in this section:

14 * * *

15 (2) ~~"Veteran" means a former service member who received an~~
16 ~~honorable discharge or a general discharge under honorable conditions from~~
17 ~~active duty~~ shall have the same meaning as in 20 V.S.A. § 1541.

18 * * *

19 Sec. 9. EFFECTIVE DATE

20 This act shall take effect on July 1, 2015.