

CBA LPRC POSITION REQUEST FORM

The CBA Veterans and Military Affairs Section requests to take the following position:

1) **Proposed legislative or regulatory concept:**

VMAS requests to take a position **opposing**, in its present form, Raised [Senate Bill No. 19](#) (“S.B. 19”), *An Act Concerning the Occupational and Professional Licenses of Military Members’ Spouses* (Session Year 2022). S.B. 19 was raised by and is presently pending before the General Assembly’s Joint Committee on Higher Education and Employment Advancement.

The stated purpose of S.B. 19 is “[t]o allow military members' spouses to obtain an occupational or professional license in this state if they hold such license in another state.”

Historically, the membership of VMAS has supported legislation and other efforts consistent with the stated purpose of S.B. 19.¹ For two reasons, however, VMAS **opposes S.B. 19 as presently drafted**.

First, the present version of S.B. 19 is not limited to military spouses but instead applies to both military spouses and *any* Connecticut resident licensed in another jurisdiction. VMAS opposes S.B. 19 because, by its plain language, it is not limited to military spouses.

Second, S.B. 19 expressly requires military spouses to take and pass any examination require for licensure in Connecticut notwithstanding whether they hold licensure in another jurisdiction. That is precisely what military spouses must do now *in the absence of S.B. 19*. VMAS opposes S.B. 19 because, by its plain language, it merely codifies the status quo expressly for military spouses and, in so doing, it would manifestly defeat the stated purpose of the bill.

For those reasons, which are more fully addressed in section 2 below, VMAS respectfully requests to take a position **opposing S.B. 19 as presently drafted**.

2) **Explanation and rationale for advancing this position:**

First, subsection (1)(a) provides that it applies to “a person who establishes residence in this state ***or*** who is married to an active duty member of the armed forces of the United States and accompanies that member, pursuant to an official

¹VMAS does not seek to take a position supporting in principle any legislation that may be construed as consistent with the purpose of S.B. 19 in the abstract.

permanent change of station, to a military installation located in this state.” S.B. 19 § (1)(a) (emphasis added). In other words, S.B. 19 would apply to military spouses who are in Connecticut pursuant to the servicemember's P.C.S. orders ***or*** to anyone “who establishes residence in this state.” As presently drafted, any Connecticut resident who is licensed in another state can avail his or herself of S.B. No. 19’s provisions despite the pronounced intent of the bill as limited to “military members’ spouses.”

Second, one of the prerequisites for qualifying for licensing under this statute, as set forth in subsection (1)(a)(4), is that “[t]he person takes and passes any examination required of other applicants for the license, permit, certification or registration.” This provision completely undermines the goal and defeats the purpose of S.B. 19 by codifying the *status quo* specifically for military spouses.

3) Is draft regulation, legislation or proposed bill included?

A copy of S.B. 19 is appended.

4) What is the date of any legislative hearing, if known?

Unknown, but the bill was raised by and is presently pending before the General Assembly’s Joint Committee on Higher Education and Employment Advancement. The public hearing deadline for that committee is March 8, 2022. See <https://www.cga.ct.gov/lco/docs/2022%20Committee%20Deadlines.pdf> (last visited February 17, 2022).

5) Was this position previously approved by the CBA? If so, when does/did it expire?

No.

6) Is the CBA section or committee seeking to join a previously approved CBA section or committee position?

No.

7) Potential or actual CBA opposition from another CBA section or committee?

We do not know of any actual opposition and we cannot conceive of potential opposition.

8) Strength of section position (including process and results of section vote taken on issue):

Majority vote in favor by members present at regularly scheduled section meeting on February 16, 2022. There was one abstention. No member voted in opposition.

9) Fiscal impact (on the state):

None.

10) Are you seeking “fast-track” approval?

Yes. This is a “short” legislative session. S.B. 19 is not a “proposed bill,” it is a “raised bill” raised specifically by the Joint Committee on Higher Education and Employment Advancement. VMAS has every expectation that S.B. 19 will be scheduled for public hearing at some point in advance of the March 8, 2022 deadline.

Thank you for your consideration.

Dated February 17, 2022
New Haven, Connecticut

Respectfully Submitted,

Dennis M. Carnelli, Chair
Veterans & Military Affairs Section
of the Connecticut Bar Association
dennis.carnelli@gmail.com

RAISED S.B. No. 19 (Session Year 2022)

<https://www.cga.ct.gov/2022/TOB/S/PDF/2022SB-00019-R00-SB.PDF>

(last visited February 17, 2022)



General Assembly

February Session, 2022

Raised Bill No. 19

LCO No. 504

Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

***AN ACT CONCERNING THE OCCUPATIONAL AND PROFESSIONAL
LICENSES OF MILITARY MEMBERS' SPOUSES.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) An occupational or
2 professional license, permit, certification or registration shall be issued,
3 in the occupation or profession applied for and at a practice level
4 determined by the department having oversight of such licenses,
5 permits, certifications or registrations, to a person who establishes
6 residence in this state or who is married to an active duty member of the
7 armed forces of the United States and accompanies that member,
8 pursuant to an official permanent change of station, to a military
9 installation located in this state if:

10 (1) The person holds a valid license, permit, certification or
11 registration in at least one other state in the occupation or profession
12 applied for;

13 (2) The person has held such license, permit, certification or
14 registration for not less than two years;

15 (3) The person is in good standing in all states in which he or she
16 holds a license, permit, certification or registration and (A) has not had
17 a license, permit, certification or registration revoked or discipline
18 imposed by any state, (B) does not have a complaint, allegation or
19 investigation related to unprofessional conduct pending in any state,
20 and (C) has not voluntarily surrendered a license, permit, certification
21 or registration while under investigation for unprofessional conduct in
22 any state;

23 (4) The person takes and passes any examination required of other
24 applicants for the license, permit, certification or registration;

25 (5) The person satisfies any background check or character and fitness
26 check required of other applicants for the license, permit, certification or
27 registration; and

28 (6) The person pays all fees required of other applicants for the
29 license, permit, certification or registration.

30 (b) Any person issued a license, permit, certification or registration
31 pursuant to this section shall be subject to the laws of this state and the
32 jurisdiction of the department having oversight of such license, permit,
33 certification or registration.

34 (c) Notwithstanding the provisions of this section, any department
35 head, as defined in section 4-5 of the general statutes, may deny an
36 occupational or professional license, permit, certification or registration
37 for which such department head has responsibility if he or she finds
38 such denial is in the best interest of the state.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2022	New section
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Statement of Purpose:

To allow military members' spouses to obtain an occupational or professional license in this state if they hold such license in another state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]