

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 12, 2008 in Room 519-S of the Capitol.

All members were present except:

Representative Barbara Ballard- excused
Representative Tom Sloan- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Mike Carrigan, Revisor of Statutes Office
Betty Boaz, Committee Assistant

Conferees appearing before the committee:

Representative Jason Watkins
Representative Ted Powers
Anita Foster
Betty Jean Pulliam, Past National President of the American Gold Star Mothers
Carmen Alldritt, Director, Motor Vehicle Div., Dept. of Revenue
Charles Yunker, State Adjutant, American Legion
Terry Houck, American Legions Riders Post #136
Rick Babinger, Commander, American Legion
Steve McDonald, American Legion Riders Post
Karen Funcheon, Mother of Fallen Soldier

Others attending:

See attached list.

Chairman Hayzlett called the meeting to order and opened hearings..

HB 2691 - Gold star family license plates.

The Chairman recognized Representative Jason Watkins who explained the bill. According to Representative Watkins the Gold Star Family License Plates bill provides recognition of the sacrifice made for our country by a person who has died while on active duty in military service. Representative Watkins said this bill waives the normal \$10,000 fee for introducing a specialized license plate and also removes the requirements of a minimum number of tags being requested. Representative Watkins introduced Anita Foster.

Mrs. Foster lost her son, Sgt. Evan S. Parker on October 26, 2005. According to Mrs. Foster the Gold Star represents the soldier's ultimate sacrifice for his country and these license plates would recognize and honor the service and sacrifice of loved ones. (Attachment #1) She said at the present time 13 states recognize the National Gold Star License Plate and would like to see Kansas become the 14th. The plates would not be just for those who died in Iraq but for all soldiers who lost their lives while on active duty in the military service..

The Chairman recognized Betty Jean Pulliam who was the Past National President of the American Gold Star Mothers. (Attachment #2) She was also the first lady from Kansas to achieve this honor. According to Mrs. Pulliam her son was killed in action in Viet Nam on May 14, 1967. She received the Legion of Honor Bronze Medallion from the Four Chaplains Memorial Foundation. She said the Bronze Medallion is the second highest award given and is granted for extraordinary contributions to the welfare of others at the national or world level. Mrs. Pulliam asked the Committee to support **HB 2691**. She ended her testimony with the question "We gave our sons and daughters for your freedom; could you give us a license plate for our car?"

The Chairman asked if there were any other proponents to this bill. Representative Watkins came back to the podium to introduce Sgt. Parkers's grandmother, Opal Dunlap.

The Chairman asked if there were any opponents to **HB 2691**. There were none.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 12, 2008 in Room 519-S of the Capitol.

The Chairman recognized Carmen Alldritt (no written testimony provided). She said she had talked to Mrs. Foster about the fact there were no Gold Star Family plates in Kansas. She asked for the Committee's direction in this matter. She said the reason other states could provide a variety of plates was because they used flat-plate laser technology and Kansas uses embossed aluminum. She said a major problem was how to decide who the folks are who are eligible for the Gold Star Family plates.

The Chairman told Director Alldritt it would be the Committee's desire to sit down and work with her on these problems when they were ready to work the bill.

There was written testimony submitted by Representative Pat Colloton.

There being no other proponents and no opponents, Chairman Hayzlett closed the hearing on **HB 2691**.

HB 2708 - Designating K-53 highway as the patriot guard highway.

Chairman Hayzlett recognized Representative Ted Powers. (Attachment #3) Representative Powers said the Patriot Guards is a support group which supports the decency of our military and the people they serve. He provided a map showing a six-mile stretch that starts at Highway 81 and runs through Mulvane and ends at K-15. Representative Powers pointed out Post #136, which is where the Patriot Guard movement was born. He finished his testimony by reading a poem written by a patriot guard member, Rick Babinger.

The Chairman introduced Charles Yunker, Department Adjutant of the American Legion Department of Kansas. (Attachment #4) He said the American Legion feels it is very fitting that this bill was introduced as a means to honor those thousands of Kansas citizens who have become a part of the Patriot Guard by helping to pay tribute to their fellow citizens who have lost their lives in defense of our nation and its policies. Adjutant Yunker explained that the Patriot Guard is an independent organization whose mission is to honor those who have served this nation. Adjutant Yunker concluded by asking for the Committee's support of **HB 2708**.

Chairman Hayzlett recognized Terry Houck, American Legion Riders Chapter 136 Veterans Affairs Coordinator, Mulvane, Kansas. (Attachment #5) Mr. Houck is the co-founder of the Patriot Guard mission and the Captain of the Kansas Patriot Guard. He said the Patriot Guard was created in July 2005 and their mission plan is to ride to the military funerals to show honor and respect to our country's fallen heroes, their families, and their communities. He said the Patriot Guard uses American flags to provide a shield at the church funeral services and a perimeter around the cemetery service, secondary to the military paying their respect and honor. Mr. Houck said at American Legion Post 136 in Mulvane they have a large memorial stone made from bricks with the bricks being engraved with the name of a fallen hero. He concluded by asking for support in the naming of Highway 53 the "Patriot Guard Highway."

The next proponent recognized was Rick Babinger, Commander of Mulvane American Legion Post 136 in Mulvane, Kansas. (Attachment #6) He said approximately one half of one percent of our population serves on active duty in our military. Commander Babinger said when one of those few are lost, the Patriot Guard feel it absolutely necessary to honor that service and assure no disgrace falls upon them. He said a few years ago they became aware that there were people in this country and even in our State who were willing to disgrace the service of the fallen and defile our flag. Commander Babinger concluded by saying that one way to assure the immortality of the Patriot Guard is through the passage of **HB 2708** and name a section of Highway 53 after them. He said it would be very fitting for all who come to Mulvane, the "Birthplace of the Patriot Guard", to enter on the Patriot Guard Memorial Highway.

Steve McDonald was the next proponent to speak. (Attachment #7) Mr. McDonald is a resident of Derby, Ks and a co-director of an American Legion Riders group. He said as Viet Nam veterans they were not well received when they returned from their tour of duty. In 2005 they heard about fallen soldiers having protesters at their funerals so Terry Houck got several riders together to form the Patriot Guard because they wanted the families of the fallen soldiers to know that there is support from the American Legion Riders out there for them. He concluded by saying the City of Mulvane is where it all started and it would appropriate for the highway leading into Mulvane to be named Kansas Patriot Guard.

CONTINUATION SHEET

MINUTES OF THE House Transportation Committee at 1:30 P.M. on February 12, 2008 in Room 519-S of the Capitol.

The next proponent was Karen Funcheon, mother of a son killed in Baghdad. (Attachment #8) She said three days after their son was killed 30 men and women on motorcycles came to their home to embrace them in their pain and grief. When their son came home there were 75 Patriot Guard standing at attention to honor their fallen son. On the day of the funeral over 250 were present to give their son, Alex, the honor he and every soldier deserves.

Chairman Hayzlett asked if there were other proponents. Major General Todd Bunting came forward to give support to **HB 2708**. He said where the Patriot Guard was, he would be there also. He was definitely in support of naming a section of Highway 53 for the Patriot Guards.

There were no other proponents and no opponents. Chairman Hayzlett closed the hearing on **HB 2708**.

According to Chairman Hayzlett, in past years Chairmen were advised not to work bills the same day they were heard.. However since this bill had no opponents nor did it need alterations, it was his desire to work **HB 2708**. A motion was made by Representative Wetta to pass this bill favorably from Committee, seconded by Representative Burgess. After some discussion Representative Wetta amended his motion to pass this bill favorably and place it on the consent calendar, seconded by Representative Burgess. Representative Henry made the suggestion that the bill go before the House so everyone could hear the explanation of the Patriot Guard. Representative Wetta further amended his motion to pass **HB 2708** favorably to the full House, seconded by Representative Burgess and the motion carried.

It was also the Chair's desire to work **HB 2659**. Representative Vickrey made a motion to pass favorably **HB 2659**, seconded by Representative McLachlan and the motion carried.

The Chairman announced the tour of the Santa Fe maintenance shop is going to be on March 5, at 1:30 p.m. Transportation will not be provided for the members.

Chairman Hayzlett advised the Committee that Minutes would be e-mailed for review and approval.

There being no further business the meeting was adjourned. The next meeting will be February 14, 2008, at 1:30 p.m. in Room 519-S.

HOUSE TRANSPORTATION COMMITTEE

DATE Feb 12, 2008

NAME	REPRESENTING
Meta Foster	Gold Star Tag
Betty Jean Pulliam	Gold Star Tag
Rep Watkins	
KING L. DIXON	GOLD STAR TAG
Roger Attebury.	America's Gold Star Mothers
Ed Donly	Grandmother
Kimberly Johnson	UPS / KMCA
Tom Whitaker	KMCA
LARREN ALDRITT	KDOR
Michael McLin	KDOR
KEVIN GREGG	KMCA
Dustin Major	Priscilla Smith
Alissa Dos Santos	reporter, MBW-TV
Tod Bunting	Adjutant General
DON McNEELY	KADA

HOUSE TRANSPORTATION COMMITTEE

DATE February 12, 2008

NAME	REPRESENTING
Ted Powers Dist 8	Rep
Rick Babinger	American Legion Post 136
Jim Meidinger	" " " "
Ron Wolf	" " " 408
Steve McDonald	" " " 408
Jim Dunham	" " " 136
Ron Henderson	" " " 136
Ben Roloff	" " " 136
Bill Sorenson	" " " 136
Jerry Allen	" " " 136
Frank Stant	"
Terry D. Houch	ALR / PG / Gold Star Mothers
STEVE RODINA	CSM K5NG
Charles M Yunker	The American Legion
Pat Collata Dist. 28	Rep.

February 12, 2008

Mr. Chairman and Members of the Committee;

Thank you for taking the time to hear me today. I am petitioning the State of Kansas for the Gold Star License Plate. At this present time 13 states recognize the National Gold Star License Plate. The Gold Star represents the soldier's ultimate sacrifice for his country. My son, Sgt. Evan S. Parker, did just that on October 26, 2005. These license plates would recognize and honor the service and sacrifice of our loved ones. I believe this recognition is the least our state can offer in remembrance of our fallen soldiers and their families.

Respectfully Submitted,

Anita F. Foster
Wichita, Ks.

House Transportation
Date: 2-12-08
Attachment # 1

I am Betty Jean Pulliam, the Past National President of the American Gold Star Mothers and I might add, the first lady from Kansas to achieve this honor. My son, Dale, was killed in action in Viet Nam on Mother's Day, May 14, 1967, and I am proud of the work I have done all these years in his memory.

I was especially proud as National President to receive the Legion of Honor Bronze Medallion from the Four Chaplains Memorial Foundation. The Bronze Medallion is the second highest award given and is granted for extraordinary contributions to the welfare of others at the national or world level, to world peace or to inter-faith and inter-ethnic understanding.

I am also proud of Gold Star Mother, Anita Foster, for her hard work, dedication and efforts to obtain a Kansas license plate for our Gold Star Mothers.

We gave our sons and daughters for your freedom; could you give us a license plate for our car?

Thank you very much.

House Transportation
Date: 2-12-08
Attachment # 2

Rep. Ted Powers
Room 121-W Statehouse
Ph. 785.296.6014

HB 2708 – Naming a stretch of Hwy. 53 - The Patriot Guard Highway



House Transportation
Date: 2-12-08
Attachment # 3

We Are The Patriot Guard

*When a candle flame flickers, and a soldier is lost
We gather as one, we help share the cost.
Our uniform is leather, our weapon the flag.
We ride in all weather, our bikes in parade.*

*Where there's need of strength, we help make you
strong
We are brothers and sisters in arms.
Though our numbers are many, our soul is but one.
We are the Patriot Guard!*

*We honor the fallen and protect their loved ones
From the evil that would divide.
Yet we know they can't win, because deep within
The fallen spirit, is our guide.*

*For those that died, so our country can live,
It is right to believe in your heart.
That if God himself walked the earth today,
He would join the Patriot Guard.*

Rick Babinger
American Legion Riders
Post 136-Mulvane, Ks

HOUSE BILL NO. 2708
By the Committee on Transportation
Tuesday, February 12, 2008
State Capitol Building
Room 519(S)

Testimony by Charles M. Yunker
Department Adjutant
The American Legion Department of Kansas

Thank you Mr. Chairman and members of the Committee for providing The American Legion this opportunity to voice our organization's support in favor of House Bill 2708. As you may recall, the basic provisions of HB 2708 were contained in House Bill 2071 which was introduced last year at the request of our organization.

The American Legion feels it is very fitting that House Bill 2708 has been introduced as a means to honor those thousands of Kansas citizens who have become a part of the Patriot Guard by helping to pay tribute to our fellow citizens who have lost their lives in defense of our nation and its policies. Although many associate the Patriot Guard with The American Legion and the American Legion Riders who founded the Patriot Guard, and while it is true the majority of Patriot Guard members are motorcyclists, membership in The American Legion or The American Legion Riders is not required.

The Patriot Guard is an independent organization. Naturally its members include American Legion Family members, but also the families of our deceased military, and in many ways most importantly, private citizens whose sense of patriotism has been rekindled nationwide. Born in Mulvane, Kansas the purpose and mission of the Patriot Guard spread across America as fast as its message could be transmitted by the internet with similar groups springing up in every state and Puerto Rico.

Despite dozens of requests for appearances in parades, rallies and other events the Patriot Guard has remained true to its only mission, honoring our nation's deceased military

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Attachment # 4

veterans during their funeral services. There are no dues to belong to the Patriot Guard; the only requirement is a person's willingness to stand with the Guard as it pays its respects to a fallen hero. If you do not have a flag to hold, most likely you will be handed one. These patriots' ranks have been joined by a cross section of citizens from law enforcement personnel to politicians to school children; indeed whole schools have been known to turn out to line a street in support of grieving families.

Patriot Guard members do not seek glory or personal honors nor do they make political statements during their missions. They remain true to their mission of honoring those who have served this nation. The American Legion believes designating Highway K-53, a relatively short stretch of pavement connecting Mulvane and the Kansas Turnpike, as the Patriot Guard Highway will be a fitting tribute to the seed of an idea which sprang from the heartland. But like so many seeds it has blossomed into something which has meant so much to so many and will continue to do so in the future.

The American Legion asks for this committee's support of HB 2708 and your continued support in the Kansas House of Representatives. Again thank you for providing The American Legion this opportunity today.

In Support of Bill HB 2708
The "Patriot Guard Highway"
Testimony by Terry D. Houck
12 Feb 2008

Thank you Mr. Chairman and house Committee members for the opportunity to speak in support of the House Bill HB 2708 naming a stretch of highway 53, the "Patriot Guard Highway."

I am Terry Houck, and I reside in Derby, Kansas. I am a lifetime member of the American Legion. I serve as American Legion Riders Chapter 136 Veterans Affairs Coordinator in Mulvane, Kansas. I am a Combat-wounded US Army Veteran, serving in Vietnam April 1969 to June 1970. I am co-founder of the Patriot Guard mission, and I am the Captain of the Patriot Guard which is also known as the Kansas Patriot Guard. The military veterans here with me today are American Legion Riders who helped establish the Patriot Guard mission.

If you are not familiar with the history of the founding of the Patriot Guard, you can read it on our website, listed at the end of this document. Briefly said, the Patriot Guard mission is the vision of my wife Carol, created in July 2005. Since then there have been many Fallen Soldier funeral missions in Kansas and throughout the nation. There are now over 5500 Kansans who support the Patriot Guard mission, the mission being to stand guard for America's Fallen Heroes who have sacrificed their lives fighting terrorism to protect our freedom and our country. The Patriot Guard mission involves 100,000+ people nationally.

The Patriot Guard mission plan is to ride to the military funerals to show honor and respect to our country's fallen heroes, their families, and their communities. The name "Patriot Guard" was chosen because America's freedom started with patriots serving in the Revolutionary War, then through out the years in the Army, Marines, Navy, Air Force, and Coast Guard. Here in Kansas men and women train daily in the US Army Guard, US Marine Guard, US Navy Guard, Air National Guard, US Coast Guard to protect and stand guard wherever in the world. The name "Patriot Guard" made sense to us.

The Patriot Guard uses American flags to provide a shield at the church funeral service and a perimeter around the cemetery service. We are secondary to the Military who attends with fellow soldiers and pays the utmost respect and honor with their Military General Officer staff and Full Military Honor Guard squad at the church and graveside services. We stay out of their way.

The Patriot Guard name is well-known throughout the war theaters in which our military serves. They know that we have their backs while they serve on the front lines of war. Many of the Patriot Guard members are family members who have lost a loved one in this war on terrorism, or are active military, military veterans, law enforcement officers of all agencies, firemen, paramedics, and city, county, and state leaders.

At American Legion Post 136 in Mulvane we have a large memorial stone placed on a patio made from bricks. At the front of the memorial stone the bricks are each engraved with the name of a fallen hero. The Patriot Guard Highway would further honor these warriors of Kansas.

On behalf of the Patriot Guard, and the American Legion Riders Post 136, in Mulvane, Kansas, we support the naming of a stretch of highway known as K-53 as the Patriot Guard Highway. Naming highway 53 the "Patriot Guard Highway" honors our fallen heroes, our active-duty military, our veterans, our service families, and all citizens who support the Patriot Guard mission.

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Attachment # 5

You, the Leadership of Kansas would be naming a highway "In Memory Of" and in recognition of all of these people.

I present my testimony with respect and sincerity, and I thank you for your attention to this issue.

I appreciate and sincerely thank Kansas House Representative Ted Powers from District 81 for his work on this house bill no. 2708.

Very Respectfully,

Terry "Darkhorse" Houck
ALR136 Veterans Affairs Coordinator
www.alr136.com
Kansas Patriot Guard State Captain
Patriot Guard Founder
www.kspatriotguard.org
US Army Vietnam Combat-Wounded Veteran

Testimony in support of HB 2708
Designating K-53 the 'Patriot Guard Highway'
Rick Babinger
Commander, American Legion Post 136
Mulvane Ks.

Good afternoon. I am Rick Babinger, Commander of Mulvane American Legion Post 136 in Mulvane, KS., the birthplace of the Patriot Guard. I am and AF, Vietnam Era Veteran.

Approximately one half of one percent of our population serves on active duty in our military. One half of one percent is all that stands between the freedoms we all enjoy, and tyranny. So when one of those few, precious souls are lost, especially in the defense of those freedoms, it is absolutely necessary we honor that service and assure no disgrace falls upon those that have given so much.

A few years ago, we all became aware of a sad fact. There are people in this country, in deed in our own honorable State, who, while enjoying the freedoms purchased by the blood of our soldiers, were willing to disgrace their service and defile our flag. They did this so they could express their own perverted views all at the expense of the families that have suffered the ultimate loss.

About the same time, a seed was sewn. It was planted in Mulvane, Kansas at American Legion Post 136. A committee was formed that included other veterans from the American Legion Riders, and it took root. It spread from this post, to the State of Kansas, and quickly to the rest of the nation.

It had no name at that time. It was simply a group of rider patriots on a mission. That mission was then, and to this day remains the same. "To show respect and honor to our fallen heroes, and support their families and their communities."

The very soul of this nation are the Gold Star families. They suffer like few of us will ever know and live with the knowledge that the price of freedom is higher than we can ever imagine, but they keep the memory of their loved ones, and their country locked forever in their hearts.

A twisted ideology was the impetus for the creation of the Patriot Guard, but God willing, as long as there are soldiers in harms way, and long after the protestors are gone and forgotten, the Patriot Guard, will live on. One way to assure that immortality is through the passage of this bill to name a section of highway 53 after them. All who come to Mulvane see signs at the city limits proclaiming 'The Birthplace of the Patriot Guard'. How fitting it would be to enter this community on the Patriot Guard Memorial Highway.

Respectfully,

Rick Babinger

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Attachment # 6

Steve McDonald

To the Committee in support of the Hearing of the Bill Number 2708.

I'm here on behalf of the American Legion Riders and The Kansas Patriot Guard.

My name is Steve McDonald, resident of Derby, Kansas. I am co-director of a American Legion Riders group. I am a member of the American Legion , American Legion Riders, and also a Life member of the VFW Post 7235. All in Derby, Kansas.

I am a Viet Nam veteran, serving in the US Army . On returning from my tour of duty, we were not received very well at all when we came home. I waited several years before becoming active in any groups regarding my military experience.

That's when my love of motorcycles, I found out about the American Legion Riders. These riders share the same ideas that I have about our soldiers.

Then in July of 2005 we heard about fallen soldiers having protesters at their funerals. So Terry Houck got several riders together to form the Patriot Guard.

We felt that the families of these soldiers needed to know that there is support from the American Legion Riders out there for them.

We want our military personal to feel that there is support from those of us that stand behind what they are doing, serving our country and maintaining our freedom.

That's why we're here.

The city of Mulvane is where it all started and that's why we have asked for KS 53 highway outside of Mulvane to be named Kansas Patriot Guard

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Highway. It's a stretch of highway that is not far from 136 post, that we use for many of our Missions.

By naming this highway, it would be a way of honoring those fallen soldiers that have given the ultimate sacrifice.

God Bless America!

Sincerely, Steve (Madaddy) McDonald

Thank you ... 2 simple words that are inadequate to say to the Patriotic Guard. These men and women, some who served in Vietnam, came home to hostility and indifference. Today with forgiveness, they have "paid it forward."

The respect in which they have bestowed on our soldiers is truly patriotic. Our family has been a recipient of their honor and empathy. On April 29, 2007 our only son was killed in Baghdad. Three days later 30 men and women on motorcycles came to our home to embrace us in our pain and grief. When our son came home there were 75 Patriot Guard standing at attention to honor a fallen soldier. On the day of the funeral over 250 of these "Angels of Mercy" were present to give Alex the praise and honor that he and every soldier deserves. Thank you Congressman and Senators for recognizing the men and women for their selfless acts. And thank you to our soldiers who have paid the ultimate sacrifice.

Karen S. Funcheson

2-12-08

Gold Star Mom

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