

MINUTES OF THE HOUSE VETERANS, MILITARY AND HOMELAND SECURITY COMMITTEE

The meeting was called to order by Chairman Don Myers at 1:30 p.m. on February 10, 2009, in Room 711 of the Docking State Office Building.

All members were present.

Committee staff present:

Art Griggs, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Corey Carnahan, Kansas Legislative Research Department
Chris Courtwright, Kansas Legislative Research Department
Barbara Lewerenz, Committee Assistant

Conferees appearing before the Committee:

Representative Lee Tafanelli
Representative Raj Goyle
Ken Stodgell, Legislative Chairman, Veterans of Foreign Wars
Wayne Bollig, Director of Veterans' Services, Kansas Commission on Veterans' Affairs (KCVA)
Donnie Behrens, Assistant Adjutant for the Department of Kansas, American Legion
Jim Beckwith, Veteran

No Written Testimony

Dan Ramlow, Veteran

Others attending:

See attached list.

Moved by Representative Crow, seconded by Representative Goyle, for approval of minutes of the House Committee on Veterans, Military and Homeland Security, held February 5, 2009. Motion Carried.

The Chairman announced that the refueling tanker training mission was still open to participants and appointed Vice Chairman Goico to coordinate the mission with Lt. Col. Hans Neidhardt, Kansas National Guard.

Revisor Scott Wells briefed the Committee on **HB 2171 - Veterans; Vietnam war medallion program**. The bill creates within the Kansas Commission on Veterans' Affairs (KCVA), a "Vietnam War Medallion, Medal and a Certificate of Appreciation" for every veteran who honorably served on active duty in the United States Military Service at any time beginning February 28, 1961, and ending May 7, 1975. Any veteran who is entitled, or if the veteran died prior to making application, any spouse or the eldest living survivor of a deceased veteran would be entitled to apply. It also creates a "Vietnam War Veterans' Recognition Award Fund," which will consist of gifts, donation and bequests to the fund. Subject to Federal restrictions, the KCVA shall transfer money in the "Veterans' Cemeteries Federal Construction Grant Fund" to the "Vietnam War Veterans' Recognition Award Fund."

The Chairman opened the hearing on **HB 2171**.

Proponents

Representative Lee Tafanelli testified in favor on **HB 2171 (Attachment 1)**. Representative Tafanelli said he would like Kansas to be among a number of other states that have recognition programs for the Vietnam veterans, a generation of veterans who were not afforded proper recognition for their service. In addition to recognizing the service of these veterans, this would be a way of locating those who have not asked for assistance, but are potentially eligible.. He said Kansas currently has approximately 10,800 Vietnam veterans receiving veterans benefits and that additionally there are approximately 15,500 that might qualify for health care and possible disability compensation if identified.

Wayne Bollig, KCVA testified in favor of **HB 2171 (Attachment 2)**. Mr. Bollig said the KCVA supports the effort to recognize the heros of the Vietnam Era. Other states have implemented recognition programs for these veterans and the program would provide the means to reach veterans who are potentially eligible for benefits. There are approximately 87,000 veterans from this era in the state of Kansas. In Kansas we reach only about 12 percent of veterans.

CONTINUATION SHEET

Minutes of the House Veterans, Military And Homeland Security Committee at 1:30 p.m. on February 10, 2009, in Room 711 of the Docking State Office Building.

Ken Stodgell, VFW, testified in favor of **HB 2171 (Attachment 3)**. He said that if this program is initiated it will create an invaluable database for the KCVA to do outreach to veterans who are possibly eligible for benefits. If passed the bill must contain language to mandate the KCVA to make contact with these veterans to outline potential benefits and assist those who need help in applying.

Donnie Behrens, Kansas American Legion, testified in favor of **HB 2171 (Attachment 4)**. He agreed with the program in concept and suggested the bill be passed without funding, to be implemented at a later date, if funding is not available. He commended the committee on drafting a bill that recognized all Vietnam veterans regardless of where they served.

Dan Ramlow, veteran, testified in favor of **HB 2171**. He stated that he received recognition of this type from the state of Missouri and felt that it was an outstanding program.

Opponent

Jim Beckwith, veteran, testified against **HB 2171 (Attachment 5)**. He said he applauded the concept of the bill, but did not agree that anyone who was not either directly involved in either the conflict or activities in support of the conflict (even if based elsewhere) should be given this recognition. He recommends language be added to the bill giving the KCVA discretion to screen applicants for this recognition based on participation in the Vietnam conflict, or in operations in support of that conflict.

Discussion was held regarding the reluctance of Vietnam veterans to seek assistance from the government; funding of the recognition program with donations and the transfer of money from the "Veterans' Cemeteries Federal Construction Grant Fund;" and the appeals process for denials.

The Chairman closed the hearing.

The Chairman then turned the meeting over to Vice Chairman Goico.. The Vice Chairman recognized Revisor Scott Wells who briefed the Committee on **HB 2267 - Requires senate confirmation of KCVA appointees**. This involves changes in the statute related to appointments made to the KCVA. Persons appointed to the commission shall be subject to confirmation by the Senate and must have received an honorable discharge as evidenced by their military discharge papers.

Vice Chairman Goico opened the hearing on **HB 2267**.

Proponents

Representative Goyle testified in favor of **HB 2267 (Attachment 6)**. He said the bill would strengthen the Kansas Commission on Veterans' Affairs by requiring that commissioners nominated by the Governor be confirmed by the Senate and that each commissioner be a veteran honorably discharged from the military. It has the support of the KCVA and veterans groups.

Ken Stodgell, VFW testified in favor of **HB 2267 (Attachment 7)**. He stated that the VFW supports the bill and believes that Senate confirmation and proof of eligibility are simply basic tenets of good business.

Donnie Behrens, Kansas American Legion testified in favor of **HB 2267 (Attachment 8)**. He said it is important to have a check and balance system to assure members of the commission are veterans of honorable character who understand the varied and unique needs of veterans.

Opponents

None

Vice Chairman Goico closed the hearing.

The next meeting is scheduled for February 12, 2009.

The meeting was adjourned at 2:45 p.m.

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House of Representatives

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THE CAPITOL

Lee Tafanelli

Representative, Forty Seventh District

CHAIRMAN: TRANSPORTATION AND
PUBLIC SAFETY BUDGET

MEMBER: APPROPRIATIONS
VISION 2020
VETERANS, MILITARY AND
HOMELAND SECURITY

HB 2171
Testimony of
Representative Lee Tafanelli
to the
Veterans, Military and Homeland Security Committee

February 10, 2009

Chairman Myers and Members of the Committee,

It is my pleasure to appear before you in support of HB 2171, the Vietnam War Medallion Program.

A Vietnam era veteran is a person who:

1. Served on active duty for a period of more than 180 days, any part of which occurred between August 5, 1964 and May 7, 1975, and was discharged or released with other than a dishonorable discharge.
2. Was discharged or released from active duty for a service connected disability if any part of such active duty was performed between August 5, 1964 and May 7, 1975.
3. Served on active duty for more than 180 days and served in the Republic of Vietnam between February 28, 1961 and May 7, 1975.

For over 30 years many Vietnam Veterans seldom spoke of Vietnam, except with other veterans, when training soldiers, and in public speeches. However, over the years a number of states like New York, Oregon, New Jersey, Missouri, Louisiana and others have come to believe it is high time the service of these individuals receive the recognition they were not afforded upon their return. I would like Kansas to be among the states that recognize those who served during the Vietnam War. There were over 900,000 Kansans that served on active duty during the official Vietnam era from August 5, 1964 to May 7, 1975. These Vietnam Veterans represented 9.7% of their generation. Nationwide, 240 men were awarded the Medal of Honor. With the addition of 4 names to the Vietnam Veterans Memorial Wall in May of 2008, 58,260 were killed in Vietnam, some 75,000 were severely

House Committee on Veterans
Military and Homeland Security

Date: 02/10/09

Attachment 1

disabled with 5,283 who lost limbs and 1,081 who sustained multiple amputations. Most of the young men and women killed in this war including here in Kansas were younger than 21 years of age at the time of their death with over 11,000 being younger than 20 years old.

These are men and women of dedication and honor, 97% of whom were honorably discharged. 91% say they are glad they served and 74% say they would serve again, even knowing the outcome.

In previous wars veterans were recognized with war bonuses, parades, accolades and honors. Kansas has long been a strong supporter of our military—that is why I am supporting this bill. Of the over 900,000 who served, US Census figures show there are only about 87,000 left. We often refer to our World War Veterans as our greatest generation; sadly we refer to Vietnam Veterans as the forgotten generation. That is why I hope Kansas will step forward and join a number of other states that recognize not just the sacrifices of this generation, but their contributions to Kansas and the Country. I don't believe \$5.04 for each program participant is too much to say thank you. Your life and sacrifices are recognized. Of the over 900,000 who served, US Census figures show there are only about 87,000 left. According to the USDVA Kansas currently has approximately 10,800 Vietnam Veterans receiving benefits. Current projections show that a minimum of 26,250 Vietnam Veterans are eligible for health care and possibly additional disability compensation. If these veterans were identified and assisted there would be an additional 15,500 veterans receiving benefits. Based on the Kansas average rate per veteran of \$2,884 the flow of federal dollars into Kansas in the form of benefits would be increased by an estimate of over 44 million dollars annually.

Testimony

House Committee: Veterans, Military and Homeland Security

HB 2171 Vietnam War Medallion Program.

Introduction:

The Kansas Commission on Veterans' Affairs would like to express our support for this bill. In recent years a number of KCVA staff have testified in front of various committees and part of our testimony has been to make the legislature aware of the rapidly declining World War II generation. In 2007 I reported that over 3,500 Kansas WWII veterans were dying each year and the greatest generation is rapidly disappearing. Well we have another generation of rapidly disappearing hero's that needs our attention. According to the Kansas Historical Society Kansas had over 900,000 individuals that served in the armed forces during the Vietnam era. According to the US Department of Veterans Affairs census data there are currently just over 87,000 Vietnam era veterans residing in Kansas in 2008 there were over 1,544 deaths this number is projected to increase for the foreseeable future. This bill provides long overdue recognition to another group of veterans who are rapidly disappearing.

Wayne Boellis

House Committee on Veterans
Military and Homeland Security

Date: 6/21/09
Attachment 2

Testimony by the Veterans of Foreign Wars (VFW)

House Committee: Veterans, Military and Homeland Security

Testimony House Bill 2171 Vietnam War Medallion Program

The Veterans of Foreign Wars (VFW) would like to thank the Chairman and Committee members for allowing us to speak in support of this important bill. While we all have concerns about the current budget and about potential cuts to veterans programs such as the grant program, we must reflect on the experience of Missouri and other states that have had programs similar to this for a number of years. The major benefit of the bill is the opportunity to develop a Vietnam veteran database. If the program is initiated properly this database will be invaluable. It is equally important that the Kansas Commission Veterans Affairs (KCVA) contact these veterans to insure they are aware of federal benefits available to them. We also believe this bill will be an essential outreach tool for the KCVA and if passed must contain language to mandate the KCVA to make contact with these veterans, outlining potential benefits and assisting those who need assistance in applying for benefits. This bill will see an expanded number of veterans receiving benefits and an increase of benefits to support our struggling Kansas economy.

Thank you for the opportunity to appear before you.

Ken Stodgett

House Committee on Veterans
Military and Homeland Security

Date: *02/10/09*

Attachment 3

Veterans, Military, and Homeland Security Committee Hearings

Docking Room 711, Tuesday 2/10/09, 1:30 p.m.

Testimony on House Bill 2171

The Kansas American Legion supports this bill and we agree with the program in concept. Our concern is that we believe there are other more crucial programs in the KCVA. All other programs should be fully funded before this program is implemented, even if that means taking the money out of the cemetery funds. If that cannot be done, we would recommend that this bill be passed without funding to be implemented at a later day when more funding was available.

To end, I would like to commend the committee on drafting a bill that recognizes all Vietnam Veterans, regardless of where they served. These service members were just as likely to have gone over to Vietnam and their contributions are in no way less important.

Testimony on House Bill 2267

The Kansas American Legion supports this bill. It provides a much needed check and balance system. These positions are too important for their appointments to be left solely to one person. It is equally important that the members of this commission be veterans of honorable character who understand the varied and unique needs of our veterans.

Donnie Behrens
House Committee on Veterans
Military and Homeland Security
Date 2/10/09
Attachment 4

Testimony of Jim Beckwith, Feb 10, 2009, on HB 2171

Thank you for allowing me to testify today; I am not representing any organization, just myself.

I am a retired Army Officer, who served on active duty from May 1971 to February 1992; I am an Airborne Ranger Infantryman. While I agree with the concept of this bill, I am opposed to it in its current form.

Although I served during the Vietnam conflict, I did not participate in combat, or activities in support of the conflict. Therefore I do not believe anyone who was not either directly involved in either the conflict, or activities in support of the conflict (even if they were based elsewhere) should be given a medal, "just for showing up." If that were the case, then all Kansans should receive a championship trophy just because KU won the NCAA National Championship.

I also served during Army operations in Grenada, Panama, Desert Storm I, Kosovo, Bosnia, and several classified missions. I hardly deserve recognition for those conflicts, as I did not actively participate in them. I believe veterans who participated in those actions would be offended if everyone in the military at those times were to receive a medal for each action. As far as a medallion, one can go online and order a military "challenge coin" for just about any unit, any conflict, or any subject, at a cost of around \$10.00 each.

I recommend language be added to the bill giving the KCVA the discretion to screen applicants for this recognition to ascertain their eligibility was based upon either participation in the Vietnam conflict, or in operations in support of that conflict (to include any locale worldwide). On page 2, line 18 of the bill, KCVA is already given the ability to disallow an applicant's request. A simple "check the box" on the application would place the responsibility for stating that such service took place, with the applicant. I believe this would resolve my concerns.

Thank you for allowing me to state my personal beliefs.

Respectfully,

Jim Beckwith

House Committee on Veterans
Military and Homeland Security
Date: 02/10/09
Attachment 5

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HOUSE OF REPRESENTATIVES

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RAJ GOYLE
87TH DISTRICT

TESTIMONY IN SUPPORT OF HB 2267

HOUSE COMMITTEE ON VETERANS, MILITARY AND HOMELAND SECURITY

FEBRUARY 10, 2009

Chairman Myers, Vice Chairman Goico, and Committee Members:

Thank you for allowing me to testify in support of HB 2267, a bill that will strengthen the Kansas Commission on Veterans Affairs. The bill simply requires that commissioners nominated by the Governor be confirmed by the Senate and that each commissioner be a veteran honorably discharged from the military. The bill enjoys the support of the Commission and veterans groups including the VFW.

I thank you for your time today and urge the Committee to pass HB 2267 favorably for passage.

A handwritten signature in black ink, appearing to read 'Raj Goyle', written in a cursive style.

Rep. Raj Goyle

House Committee on Veterans
Military and Homeland Security
Date: 02/10/09
Attachment 6

Testimony by the Veterans of Foreign Wars (VFW)

House Committee: Veterans, Military and Homeland Security

HB 2267 Kansas Commission on Veterans' Affairs Membership

The VFW would like to thank the Committee for allowing us to speak in support of this bill. I would like to take a few moments to provide you some background on the bill and the reason we feel it necessary to support the bill. Since its inception in 1986, the KCVA has worked together with the service organizations. One of the strengths of our organizations is our ability to work together. Several years ago an individual was appointed to the commission who we were told did not meet the statutory definition of a veteran. These positions are appointed by the Governor and we respect the governor's right to make these appointments. Unfortunately because veterans across Kansas questioned the qualifications of a commissioner we believed it is our duty to bring this to the attention of the KCVA. We simply ask the commission for verification of the commissioner's eligibility based on current Kansas Statute. This has never been done, in visiting with the Governor's office and with several legislators; they originally thought there was Senate confirmation of commissioners. We later found out this was not the case, not only did the agency not have senate confirmation of these key veterans positions, but the application process did not include any verification or proof of eligibility. One simply had to fill out the application form for Governor's appointment. Confirmation of eligibility for this position is essential if veterans are to have confidence in the agencies leadership. Proof is required using a DD-214 for a veterans license tag, for a hunting and fishing licenses, to apply for veteran's benefits, but for some reason

Ken Stodgell

House Committee on Veterans
Military and Homeland Security

Date: 02/10/09

Attachment 7

we missed this requirement for KCVA Commission membership. We believe that senate confirmation and proof of eligibility are simply basic tenets of good business.

Thank you for the opportunity to appear before you I will stand for questions.

Veterans, Military, and Homeland Security Committee Hearings

Docking Room 711, Tuesday 2/10/09, 1:30 p.m.

Testimony on House Bill 2171

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To end, I would like to commend the committee on drafting a bill that recognizes all Vietnam Veterans, regardless of where they served. These service members were just as likely to have gone over to Vietnam and their contributions are in no way less important.

Testimony on House Bill 2267

The Kansas American Legion supports this bill. It provides a much needed check and balance system. These positions are too important for their appointments to be left solely to one person. It is equally important that the members of this commission be veterans of honorable character who understand the varied and unique needs of our veterans.

Donnie Behrens
House Committee on Veterans
Military and Homeland Security
Date: 02/10/09
Attachment 8