

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 8, 2011, in Room 152-S of the Capitol.

All members were present except:

Senator Les Donovan-excused

Committee staff present:

Daniel Yoza, Office of the Revisor of Statutes

Chris Courtwright, Kansas Legislative Research Department

Jill Shelley, Kansas Legislative Research Department

Toni Beck, Committee Assistant

Conferees appearing before the Committee:

HB2132

Proponents:

Representative Melanie Meier

Diana Pitts, Vice President, American Gold Star Mothers, Inc.

Jennifer Jackman, American Gold Star Mothers Inc.

Anita Dixon, American Gold Star Mothers Inc.

Joani Unger, Gold Star Mothers, Written Testimony Only

Laura Unger, Gold Star Mothers, Written Testimony Only

Susanne Workman, Gold Star Mothers, Written Testimony Only

Rebecca Escalante

Opponents:

Judith Dietz, Kansas Gold Star Family Committee

Antoinette Ortiz-Colon, Kansas Gold Family Committee

Jeannette Salcedo, Written Testimony Only

Norman C Stahl

Bob Hemenway

HB2172

Gayla Shields, Miami County Treasurer

Other attending:

See attached list.

Jill Shelley, KLRD, presented information regarding insurance for lightweight roadable vehicles requested at a previous meeting. The FAIR Plan (Fair Access to Insurance Requirements) was created by the state of Kansas to insure property that insurance companies refuse to cover. Flight operations would not be covered and liability would eventually be in the surplus lines market, since it would be a new industry. ([Attachment 1](#))

HB 2132 - Issuance of gold star family license plates

Chairman Umbarger opened the meeting on **HB2132**.

Diana Pitts provided testimony in support of the bill offering the definition of the Gold Star lapel pin. ([Attachment 2](#)) Jennifer Jackson provided testimony in support of the bill that there are nearly 1500 deaths per year other than hostile action on the battlefield. ([Attachment 3](#)) Anita Dixon provided testimony in support of the bill in regards to her son who died as a result of a roadside IED ambush. ([Attachment 4](#)) Joani Unger provided written testimony only reviewing the death of her brother, David Unger. ([Attachment 5](#)) Laura Unger provided written testimony only in support of the bill on behalf of her husband, David Unger. ([Attachment 6](#)) Susanne Workman provided testimony in support of the bill on behalf of her son, Horst Moore. ([Attachment 7](#)) Bob Hemenway provided testimony in support of the bill stating they all died in service to our great nation. ([Attachment 8](#)) Representative Melanie Meier testified in support of the bill stating they must all be honored and remembered at their sacrifice. She commented those killed non-combat are also Gold Star Families. ([Attachment 9](#))

Judith Deitz testified in opposition to **HB2132** stating their fallen warriors deserve the dignity to have their own "true" Gold Star Family license plate. ([Attachment 10](#)) Antoinette Ortiz-Colon testified in

CONTINUATION SHEET

The minutes of the Senate Transportation Committee at 8:30 a.m. on March 8, 2011, in Room 152-S of the Capitol.

opposition to the bill stating she represents a “stand alone” bill for personnel who died while in a combat zone only. ([Attachment 11](#)) Jeannette Salcedo provided written testimony only in opposition of the bill stating it was originally intended as a tribute to soldiers KIA or in a combat zone. ([Attachment 12](#)) Norman Stahl testified as an opponent to the bill stating it will marginalize the heroic sacrifice of those lost in battle. ([Attachment 13](#)) Petition of signatures has been included for records. ([Attachment 14](#))

Virginia Harris testified as neutral stating her son was killed in 1986, and she would be considered next of kin in regards to a license plate. No written testimony was presented.

Chairman closed the hearing on **HB2132** with possible action to revisit next week.

HB 2172 - Registration of vehicles; renewal; certification of financial security

Chairman opened the hearing on **HB2172**.

A ballooned amendment for the bill was presented by Daniel Yoza, Revisor, increasing the fees from \$15 in the coming year with an additional increase to \$20 the following year.

Gayla Shields testified in support of the bill that during the development stages of the new software, there was consensus with the Department of Revenue that this change is needed. ([Attachment 15](#))

Chairman closed the hearing on **HB2172** with possible action to revisit next week.

The meeting was adjourned at 9:15 a.m. The next meeting is scheduled for March 9, 2011.

SENATE TRANSPORTATION COMMITTEE

GUEST LIST

DATE: MARCH 8
Tuesday

NAME	REPRESENTING
Dickinson County Sheriff ^{Gareth} Hoffmann	
Dickinson Co. Undersheriff James Swisher	
Tara Mays	KDOT
Judith Dietz	KS Gold Star Family Committee
Norman Stahl	"
Antoinette V Oretz - Colon	Gold Star Family
MARK BRUCE	KHP
JACK TOWER	KCVA
Michael Molin	KBOR
Carmen Aldott	KBOR
Lynia Bvster	Federico Consulting
Glenn Fleckner	KDOR
JOANNE	KADA
Kari Presley	Kearney & Associates
Ted Harty	CS

Jane Wentz

From: Jill Shelley
Sent: Friday, March 04, 2011 2:21 PM
To: Dwayne Umbarger
Subject: insurance for lightweight roadable vehicles

You requested information regarding insurance for lightweight roadable vehicles. I've spoken with representatives of the company that plans to build the vehicle, the Kansas Insurance Department (KID), and the Aircraft Owners and Pilots Association (AOPA) Insurance Agency, Inc, (the country's largest aviation insurer). All three believe insurance will be available by the time lightweight roadable vehicles are produced, both for the aviation and motor vehicle aspects of this vehicle. Below are summaries of my conversations with those representatives.

- Richard Gersh, Vice President - Business Development, Terrafugia, Inc. The company is in discussions with a number of insurance carriers, but those carriers are not yet willing to commit to offering a policy so far in advance of production. (Production for customers is not likely to begin before 2012.) It seems likely such insurance will be available through a surplus lines insurer. (Lloyd's of London is the best-known example, but 194 companies, including Lloyd's, are Kansas listed excess lines companies, according to information from KID.) Another possibility is a combination of auto and aviation insurance; some companies are willing to work on creative solutions. The company will not sell one of these vehicles to a customer in a state in which no insurance coverage is available.
- David Isaacs, KID, Surplus Lines. The assigned risk plan could cover the auto liability portion of such a vehicle. [The FAIR Plan (Fair Access to Insurance Requirements) was created by the state of Kansas to insure property that insurance companies refuse to cover.] The flight operations would not be covered, and liability likely would end up in the surplus lines market, since it would be a new industry.
- James Olithant, AOPA Insurance Agency Inc., Wichita. It seems likely at least one aviation insurer will be interested in providing a policy for this type of hybrid vehicle by the time production begins. A special policy could be created to cover both in-flight and on-ground operation. Aircraft insurance companies are much more likely than motor vehicle insurers to insure this type of vehicle. Most aircraft liability policies have a liability limit of \$1 million, significantly higher than most motor vehicle policies.

Please let me know if you have further questions on this.

Have a nice weekend!

Dear Senate transportation committee members,

Thank you for giving me a minute of your time.

My name is Diana Pitts. I am the mother of Cpl David M Unger. David was killed in action in Iraq on October 17, 2006. I live in Easton/Leavenworth Kansas and have my entire 43 year life.

I have put forth the bill #2132 with the help of Representative Meier. I would like to offer the definition of the Gold Star buttons (pins) per an Army Regulation and Act of Congress.>

Per AR 600-8-1 Dated 30 April 2007

Appendix I
Lapel Buttons

I-1 Gold Star Lapel Button for next of kin of deceased personnel

For those who are killed while engaged in military operations involving conflict with an opposing force.

Description: a gold star on a purple circular back ground, bordered in gold and surrounded by gold laurel leaves. This button was an act of Congress dated August 1966.

I-2 Lapel Button for next of kin of deceased personnel

For those who die while on active duty and had honorable service deemed honorable by the Department of Defense.

Description: a gold star within a circle (commemorating honorable service) surrounded by sprigs of oak (referring to the Army, Navy, Air Force and Marine Corps). This button was an act of Congress dated 29 March 1973 when our armed forces became all volunteer.

Please pay special attention to the description of these pins as they are both described as "a gold star".

The issuance of each of these Gold Star Pins is dependent on the honorable service of the service member, which the Department of Defense deems honorable. Benefits payable to family members are dependant on the honorable service of the service member also.

As a mother of a fallen soldier I can assure you the pain in the loss of our military heroes is the same and as you can reference in the AR above, the recognition of the gold star buttons are only different as to where the service member was killed. No status is put on one more than the other.

I am the Vice President of the Department of Kansas American Gold Star Mothers, Inc. (mothers who have lost sons or daughters in service to our nation). We have approx. 66 members and associate members (fathers and siblings) that are backing this bill 100%. Of the 66 only 6 of

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those are non combat parents/siblings. We honor All honorable service to our nation. We are only 66 strong in our organization but are connected with numerous families outside of our organization but within the state of Kansas. Our National organization located in Washington DC is an all-inclusive organization. We recognize honorable service to our nation.

We stand unified in this inclusiveness. All would be honored with this tag. To include the family of Ronald Hemenway, Bob and Shirley Hemenway, from Shawnee KS whose son died in the Pentagon on 9/11/2001.

The Gold Star Family license tag would enable families to show their pride for their military member's service and sacrifice to our nation. It would also remind people everyday that freedom is not free and we continue to have military personnel serving.

Very respectfully,
Diana Pitts

Chairman Umbarger and members of the Senate Committee on Transportation, my name is Jennifer Jackman a member of the American Gold Star Mothers, Inc., Department of Kansas. I live on a farm in Allen County and teach for the Nursing Departments at Fort Scott Community College and Neosho County Community College. It is an honor to speak to you today in support of HB 2132 regarding the gold star family license plate.

The gold star on my lapel pin honors an American hero. On March 24, 2007 a knock on our door brought with it news of the death of our son 2ndLt. Ryan M. Jackman, United States Marine Corps. Ryan was returning home from a joint training mission with the Navy off the shore of California. This was the final training scheduled prior to an April deployment to Iraq. Due to a shortage of BOQ on base, Ryan lived fifteen minutes off base and was killed when his private vehicle hit a parked tow truck on the off ramp. He was declared dead at the scene. Major Scott Bielicki of the Marine Corps arrived at our home in Elsmore approximately 12 hours later. Even four years later I can relate every detail of that visit.

Each year nearly 1500 deaths occur in our military from causes other than hostile action. These include accidents, homicides, illness and suicide. Historically, this has been true since statistics were taken in WWI. During that war 58,000 casualties were due to hostile action. Another 68,000 casualties were attributed to non hostile actions.

The knock at the door of a military family is the same for all of our men and women who die on active duty in honorable service to our country. The Department of Defense, fellow soldiers, Marines, sailors and airmen regard their fallen comrades as heroes. The memorial service is the same, the official paperwork is the same and I can assure you the loss is the same.

On March 24, 2007 my husband Mike and our remaining adult children, Leigh and Tyler became a gold star family. As a member and associate members of the American Gold Star Mothers, Inc. it is our duty to promote patriotism, assist all Veterans and their families and support fellow gold star members. The gold star serves our organization as a symbol of honor for our sons and daughters who died while in service of the Armed Forces of the United States of America, it's Allies or died as a result of such service. The gold star when exhibited, serves as a reminder to those who see it, of one who has offered to protect all of us.

We were privileged to witness our son take the oath of office as a 2ndLt in the United States Marine Corps on December 8, 2005. He vowed to protect America and her Allies as ordered by the Marine Corps and the President of the United States. The fact that his life ended on a pre-dawn morning near Camp Pendleton, California does not alter the fact that he is an American hero. He was promoted to 1stLt posthumously at his funeral. He is not only our hero, he is yours. A gold star service tag allows his family the opportunity to educate all who see it about the duty and service all who sign the oath of office give their country.

My name is Anita Dixon, I live in Wichita Ks and I am a Gold Star Mother. I became a Gold Star Mother on October 26, 2005 when I lost my middle son SGT. Evan S. Parker U.S. Army to Operation Iraqi Freedom. He was 25. He was critically wounded October 23, 2005 by a roadside IED ambush, life watched to Landstuhl Army Medical Center where he was removed from life support by his family, they being at his side.

I stood before you 3 years ago and asked you then for a Gold Star Family tag and was awarded the Gold Star Mothers tag. To this date the state of Ks. has released ___61___ tags to Gold Star Mothers of Ks. And I thank-you. Every day we drive our vehicles in Honor and representation of our children.

The Gold Star represents the Soldiers' supreme sacrifice for his military service to his country. The Gold Star does not show prejudice to the circumstance of death or place. I once again am asking for this Gold Star Family tag. Allow all of us as family members, to Honor and represent our soldiers (our loved ones) who served our country with Honor, Pride, Dignity and Respect. This tag is a small sacrifice from the state of Ks. for what our family gave for the U.S of America. Please allow every qualified family member the ability to have this tag with Honor of our loved Military Hero and drive with it on our vehicles proudly.

I thank-you for your time.

Respectfully

Anita F. Dixon

American Gold Star Mother

Dept. of Ks. President and Wichita Chapter President

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Dear Senate transportation committee members,

My name is Joani Unger. I am the younger sister of Cpl David M Unger. David was killed in action in Iraq on October 17, 2006. He was and is my hero. He loved the state of Kansas.

I have two other brothers, Jeremy and Shane and one little sister, Sadie. We would like to ask the state of Kansas for this Gold Star Family bill to be passed to afford us the ability to display our pride and sacrifice that our loved ones have made for this nation.

With the Gold Star Family license tag I wold be able to explain to my friends and complete strangers upon seeing the tag, the meaning of the Gold Star and be able to bring honor and remembrance to all our Kansas and American Heros.

I am an associate member of the Dept of KS American Gold Star Mothers organization. I stand in unity with them on support of this HS2132 Gold Star Family license tag.

Thank you for your time,

Joani Unger
Proud Gold Star Sister
Cpl David M Unger
KIA Iraq 10/17/2006

Dear Senate Transportation Committee Members,

My name is Laura Unger. I am the spouse of Cpl David M Unger. I am sending in my testimony in support of HB #2132 Gold Star Family license tag.

I cannot be there in person but need to speak out on behalf of the importance of this tag.

This tag will represent Kansas' finest. Those that have given all, not just for Kansas but for our nation! We should never forget! This tag is a way to remind people that we have lost, and that members of the armed forces continue to serve for our protection everyday.

I stand unified with the American Gold Star Mothers, Inc. Dept of KS with the inclusiveness of this tag. All those family members who had loved one who served honorably, deemed honorable by the Department of Defense, and died in service to our nation should have the opportunity to display a license tag in their honor.

David's son, Gage M Unger is only 6 years old now. We need to continue to teach our children the value of freedom and when he is old enough to drive, imagine the pride and honor he will have being able to display this tag.

Respectfully,

Laura Unger

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Senate of Transportation

Dear Sirs:

Thank you for your time and effort to hear us. My name is Susanne Workman, I am the Mother of Major Horst G. Moore who served with the 25th of the 1st Striker Brigade in Mosul , Iraq. A veteran of 18 years, who gave his life on 9th of November 2004, by incoming mortar. It is just as important to me for the Bill to pass as it is in honoring my son. A way of healing and recognition, that we are casualties too.

Thank you for listening to our cry for help.

Sincerely,

Gold Star Mother,
Susanne Workman

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Dear Senator Dwayne Umbarger,
Chairman, Senate Standing Committee on Transportation

We respectfully request you support HB 2132, Gold Star Family license plate.

Our son died on September 11th 2001 in the "Chief of Naval Operations Office" leaving a wife and two small children, a mother & father and five siblings. Although we are grateful that a Gold Star Mother's plate was issued to honor the mother's child, none of the rest of the family has any similar way to honor their loved one.

It makes no difference whether the child died in combat or not. They all died in service to our great nation.

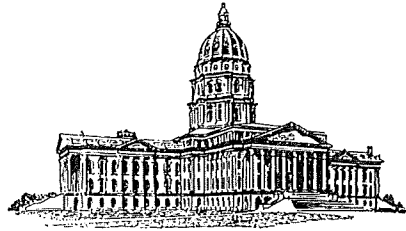
Thank you,

Bob & Shirley Hemenway

23513 West 58th Street
Shawnee, Kansas 66226
Home 913-422-1017

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
TOPEKA, KANSAS 66612
785-296-7668
melanie.meier@house.ks.gov



31301 175TH STREET
LEAVENWORTH, KS 66048
913-683-1610

MELANIE MEIER
40TH DISTRICT

February 15, 2011

Mr. Chairman and distinguished Members of the Committee,

Thank you for the opportunity to speak with you today in support of HB 2132, a measure that will provide for the issuance of a Gold Star Family license plate.

The Gold Star Mothers in my District and across the United States wish to educate the public and their local communities about the important story of the Gold Star Family. The sacrifice of less than one percent of our nation, those who volunteer to put their lives on the line for our freedoms, cannot be ignored or forgotten. They must be honored and remembered.

Gold Star Families intimately know the cost of sacrifice. They lost a loved one in service to our country. With the issuance of the Gold Star Family license plate, the Gold Star Families will raise awareness in their communities and remind all of us that we are still a nation at war and we still need those who are willing to volunteer to protect us. These plates will show the Gold Star Families' neighbors that they actually know or live close to someone who had loved ones willing to sacrifice everything.

In today's military, all service is honored. If a service member dies in battle or a training accident or a vehicle rollover or waiting in line inside a "soldier processing center" for immunizations, the families are recognized. If a service member dies in Iraq or Fort Hood or standing in front of the recruiting center in Little Rock, Arkansas, the family is recognized.

I have attached excerpts from Army Regulation and the American Gold Star Mothers, Inc. website that illustrate the military's appreciation for the sacrifice of the Gold Star Family of today. There are two Gold Star pins. One is awarded to families of service members killed in combat and the other to families of service members killed while on active duty but not in combat. In the words of Diana Pitts, the President of the NE Kansas chapter of American Gold Star Mothers, Inc.:

"DoD does not differentiate between KIA and Non-Combat deaths any longer. They pay out the same death gratuity and SGLI. The mind set of this nation is turning to honorable service and not where and how they were killed. This is why we asked for this bill to be written, because the families of those killed non-combat are also Gold Star Families.

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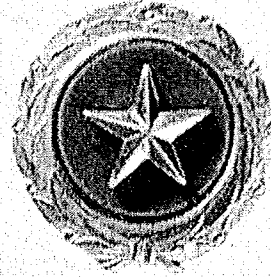
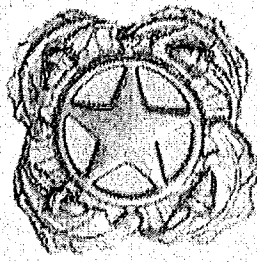
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They also get the same assistance through SOS, survivor outreach services, provided on Army installations. This license plate is about awareness, not status."

Thank you for your time and attention.

A handwritten signature in black ink, appearing to read 'Melanie Meier', with a stylized, cursive script.

Representative Melanie Meier



Quote from the American Gold Star Mothers, Inc. website: (<http://www.goldstarmoms.com>)

“The Gold Star pins, so intimately associated with Gold Star Mothers are, in fact, not awarded by us nor are they limited to mothers. They are awarded by the Defense Dept, usually through your casualty officer.

There are 2 different pins. Which one you are awarded depends on the circumstances of your loved one's death.

However, membership in American Gold Star Mothers is available to mothers with either pin. We make no distinction. Each child is precious and we don't believe that the circumstance of your child's death, is important. All served and all undertook the associated risks.”

Army Regulation 600-8-22 Dated December 11 2006

6-18 Lapel Button for Next of Kin of Deceased Personnel

The Lapel Button, Next of Kin of Deceased Personnel is provided to widows/widowers, parents, and primary next of kin of armed services members who lost their lives while serving on active duty or while assigned in an Army Reserve or Army National Guard unit in a drill status.

a. The button consists of a gold star within a circle (commemorating honorable service) surrounded by sprigs of oak, (referring to the Army, Marine Corps, Navy, Air Force and Coast Guard).

b. One lapel button will be furnished without cost to the widow or widower, to each of the parents, each child, stepchild, child through adoption, brother, half brother, sister and half sister of a member of the armed forces who lost his or her life while on active duty. The term widow or widower includes those who have since remarried, and the term parents includes mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis.

c. Casualty area commands will stock the button and ensure that survivor assistance officers issue them to eligible next of kin.

d. The Lapel Button, Next of Kin Deceased Personnel is authorized for issue retroactive to 29 March 1973.

Kansas Gold Star Family Committee

Thank you Mr. Chairman and Committee members; I appreciate the opportunity to provide testimony on HB 2132 on behalf of the Fallen Warriors, Gold Star Family Committee of Kansas, the Gold Star families of Kansas, the Blue Star families of Kansas, the active duty Military, and the Veterans and their families of Kansas.

My name is Judith Dietz (Nicholson), I am Chairwoman of the Kansas Gold Star Family Committee. I too am a Gold Star family member. My father Army Platoon Sergeant Glenn E. Nicholson was killed in action, in Gia Din Province, Vietnam May 5, 1968, while serving with the 11th Armored Cavalry (Blackhorse) Regiment. Dad died from multiple fragmentation wounds after being hit directly by a Rocket Propelled Grenade (RPG) while bringing a wounded Trooper into his armored vehicle.

We lived in Schilling Manor AFB at the time. I can remember so distinctively when the Staff car pulled up to our house. Mom was getting us children ready for school. Which was quite a chore being that there was eight of us to contend with. Mom has just plugged in the coffee pot; she looked out the kitchen window when she seen the Staff car pull up to the house. She yelled, "OH MY GOD NO"!!! All of us children asked what was going on and about that time she answered the door and was told by the Casualty Officer that Dad had been fatally wounded.

I can remember us kids yelling and screaming, "NO NO NO"!! The tears falling down the faces of eight children was very hard on our Mom. The oldest, Mickey 16, Grant 13, Jeannette 10, Judith 9, Jackie 7, David 6, Scott 3 and Keith 13 months old.

We were raised to be very proud of our Dad. This personal experience has affected us all very

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much throughout the years. Here it is 43 years later, we lost our Mom (Emilie) on November 2008.

I had told Mom about the article I had read in "Thunder Run" about how Ohio got Gold Star Family license plates. I told her I wanted to do this for the Gold Star families here in Kansas. To HONOR Dad and other "Fallen Warriors". I carried the article around for the longest time. Than after Mom passed I got the courage up to e-mail Mr. Richard Stobbs, Chairman-Ohio Gold Star Family Committee from the e-mail address he had provided in the article.

Before I go any further, I would like to ask how many members of this committee have served in the Military?.....Thank You!!

The immediate families of Fallen Warriors are known as Gold Star families.

We feel this HB 2132 is "degrading" to our fallen warriors simply for the fact that it is mixing Gold Star and Next of Kin. Next of Kin is for anyone who dies in the Military and this is NOT Gold Star. That would be like giving a bronze star, purple heart to someone who got in a car wreck or died in a training accident while in the Military. We are sorry for their loss as any loss is painful but, this again is not Gold Star.

We strongly "OPPOSE" HB 2132 and our Fallen Warriors deserve the respect and dignity to have their own "true' Gold Star Family license plate.

Thank you Chairman and Committee members for allowing me to testify today.

Judith Dietz (Nicholson)

Chairwoman

Kansas Gold Star Family Committee

(316) 789-9688

Testimony before the Senate Transportation Committee

March, 8 2011

My Name is Antoinette V Ortiz-Colon I am the daughter of the late SSgt John Ortiz KIA 1/16/68.

Chairman and Committee Members I testify before you today in "Opposition of HB 2132"l.

Background

Representative Melanie Meier testified in support of the bill, as did six family members of individuals who died while in active military service. No neutral or opposition testimony was offered.

I feel that there are issues concerning this license plate that you might not be aware of or have any knowledge of.

On March 30 2009 Senator Dick Kelsey met with Chairwoman Judith Dietz(Nicholson) , myself and several others discussing the license plate and what it was to stand for. We provided him with information that we have researched and informed him that we have been working with the National Gold Star Family Committee Chairman, Richard Stobbs and Mike Rankin from the Bureau of Motor Vehicles in Ohio who already has license plate.

On April 2,2009, Senator Dick Kelsey did a press release announcing that he will sponsor a "stand alone" bill for a Gold Star Family License Plate for Military Personnel who died while in a "Combat Zone".

On January 26, 2010 testimony was given before Senate Transportation Committee Concerning Gold Star Family License Plates.

Being a daughter of a "Fallen Hero" I have the utmost respect for all military personnel serving our country. I have quite a few family members that have served our country and by doing so they met the requirement to a acquire a Veterans License

The Gold Star Family License Plate was initially introduced as a license plate for Military Personnel that have died in a "Combat Zone".

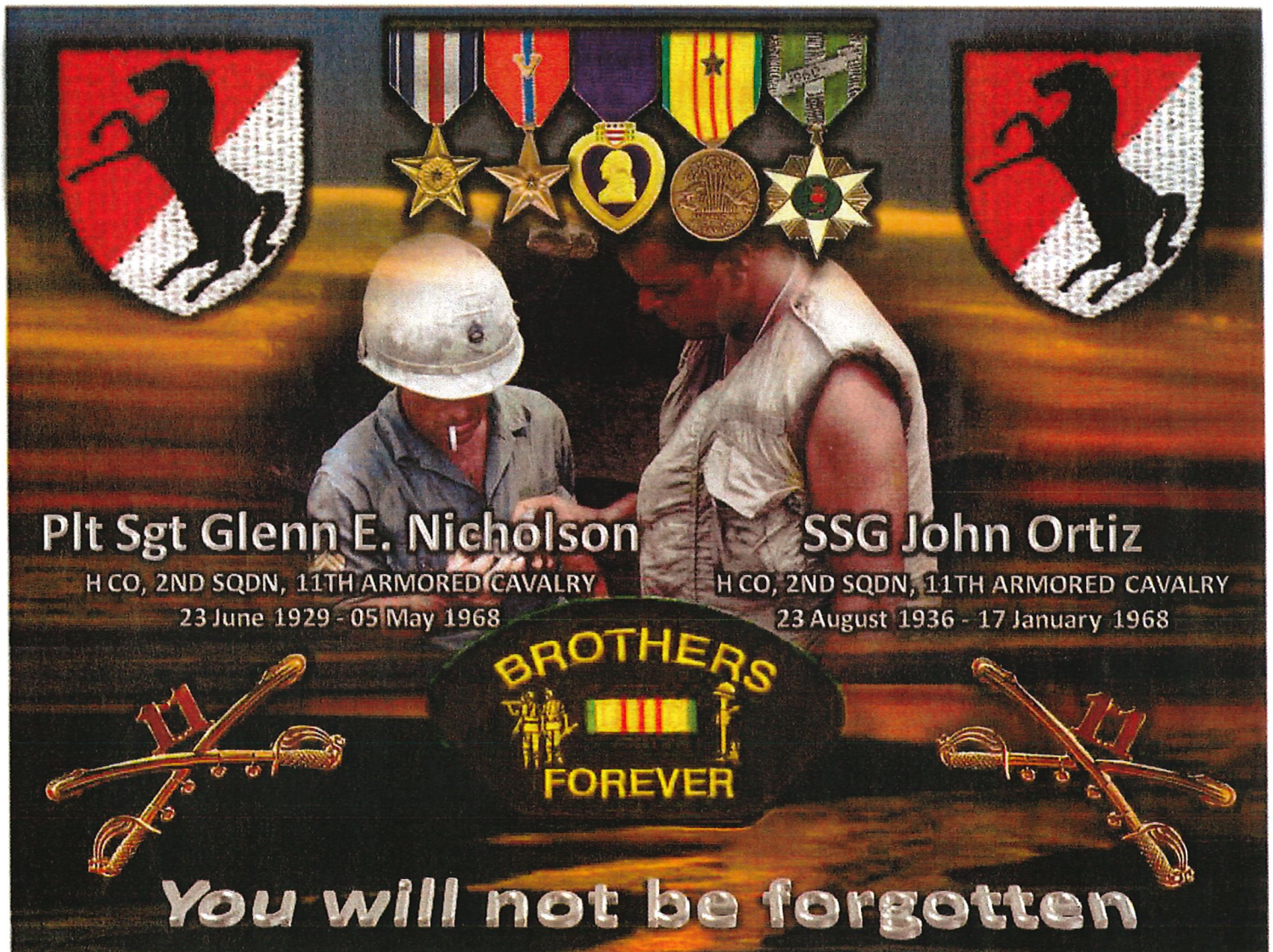
House Bill No 2132 has altered the meaning and purpose of the Gold Star Family License Plate by adding the following: " the lapel button for next of kin of deceased active duty personnel". The bill does however incorporate "any person entitled to receive the Department of Defense Gold Star lapel button".

In order to receive the Gold Star Lapel Button you must submit an application to the National Personnel Records Center for your branch of service and provide a DD Form 3 & DD Form 1300 (Report of Casualty)

I feel very strongly that the family members of the "Fallen Warrior" that served their country proudly, and lost their lives on the battle field, deserve the right to display their Patronage and Heritage with a license plate that "distinguishes " their loss due to "casualty of battle".

Thank Chairman and Committee letting me testify before you today.

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Plt Sgt Glenn E. Nicholson

H CO, 2ND SQDN, 11TH ARMORED CAVALRY

23 June 1929 - 05 May 1968

SSG John Ortiz

H CO, 2ND SQDN, 11TH ARMORED CAVALRY

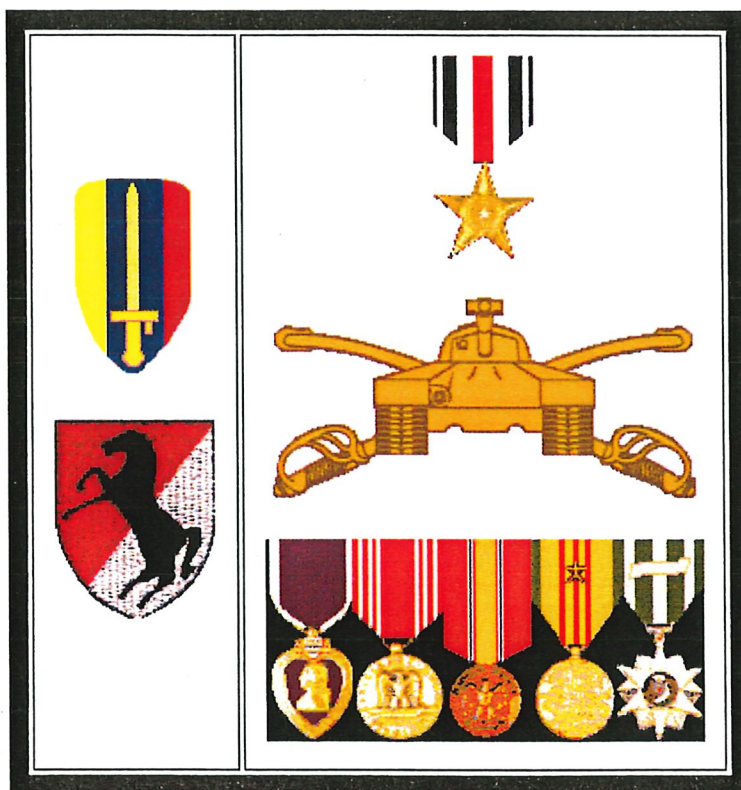
23 August 1936 - 17 January 1968

**BROTHERS
FOREVER**

You will not be forgotten

John Ortiz

Staff Sergeant
H CO, 2ND SQDN, 11TH ARMORED CAV, USARV
Army of the United States
23 August 1936 - 17 January 1968
Chicago, Illinois
Panel 34E Line 063



DEPARTMENT OF THE ARMY
HEADQUARTERS 9TH INFANTRY DIVISION
APO San Francisco 96370

9 April 1968

GENERAL ORDERS
NUMBER 2280

AWARD OF THE SILVER STAR

1. TC 320. The following AWARD is announced posthumously.

ORTIZ, JOHN RA16460144 STAFF SERGEANT E6
Company H, 2d Squadron, 11th Armored Cavalry Regiment

Awarded: Silver Star

Date
action: 17 January 1968

Theater: Republic of Vietnam

Reason: For gallantry in action involving close combat against an armed hostile force in the Republic of Vietnam. STAFF SERGEANT ORTIZ distinguished himself by exceptionally valorous actions on 17 January 1968, while serving as a Tank Commander with Company H, 2d Squadron, 11th Armored Cavalry Regiment, on a reconnaissance in force mission during Operation Fargo in Loc Ninh Province. Sergeant Ortiz's tank, in the lead position, came under heavy recoilless rifle and automatic weapons fire from a numerically superior Viet Cong force. An anti-tank round struck his vehicle, causing it to burst into flames. Directing his men to abandon the flaming tank, Sergeant Ortiz covered their exit with highly accurate suppressive fire from his .50 caliber machine gun. When his men were safely evacuated, Sergeant Ortiz turned his main gun on the enemy fortification, destroying at least one of the recoilless rifle teams. While still firing devastating rounds into the insurgent positions, Sergeant Ortiz was mortally wounded by an exploding antitank round. Sergeant Ortiz's extraordinary heroism in close combat against a numerically superior Viet Cong force was in keeping with the highest traditions of the military service and reflects great credit upon himself, his unit and the United States Army.

Authority: By direction of the President under the provisions of the Act of Congress, approved 9 July 1918, and USARV message 16695, dated 1 July 1966.

FOR THE COMMANDER:

Chief
of
Staff

OFFICIAL:

Adjutant General

Gold Star Standard
Using DOD criteria

	DOD Issue	Bronze Star	Purple Heart	Silver Star to MOH Combat Infantry Badge	DOD GOLD STAR	AGSM Member Eligible
1 (A) <u>Combat Zone – Battle Death #</u> “During periods of armed hostilities”	Gold Star Pin	Yes	Yes	Yes	YES	YES
1 (B) <u>Combat Zone– Non battle Death #</u> “During periods of armed hostilities”	Gold Star Pin	Yes	no	no	YES	YES
<hr/>						
2. <u>Non Combat Zone Military Death #</u> ▪ “During peacetime” ▪ “During periods of armed hostilities,” but outside of Combat Zone	Next of Kin Pin	---	no	no	<u>NO</u>	YES

Authority: 32CFR578.63, Lapel Buttons & Public Law 534 – 89th Congress (per DD Form 3)

.....

HB 2132 awards Gold Star Combat recognition status to military casualties outside of combat zones.
HB 2132 in essence awards Bronze Star, Purple Heart and up to Medal of Honor status for “Service above and beyond the call of duty” for non combat service.” HB 2132 disrespects our Fallen Warriors.

Source: Gold Star Family Committee, March 6, 2011

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Fw: Opposition to NB-2132

Back to messages |

Judith

To Toni Colon

5:04 PM

Reply

Toni if you can print this off it would be great, last year they did not have Jeannette's testimony on the table.

Judi

----- Original Message -----

From: Jeannette SalcedoTo: toni.beck@senate.ks.gov ; rosemary.cubie@sentate.ks.govCc: Judith Anne Dietz

Sent: Monday, March 07, 2011 9:46 AM

Subject: Opposition to NB-2132

7 March 2011 (10:45am)

My sister Judith Dietz sent me the email you sent to her about the "Gold Star" plate and HB-2132. The only thing I can say is ARE YOU KIDDING ME!!!! There is a quote that really sparks a fire under me "Pitts says she doesn't want to create controversy and encourages opponents to create their own license plate strictly for families whose soldier was killed in action." Excuse me!!! Pitts knew Judi was working on the plate and even emailed her in the beginning to tell her she was glad Judi was doing this for the families. Gold Star Mothers want to include "non Combat" casualties to a bill they hijacked from Judi for the families.

The day my father was killed (KIA) in Vietnam stands out in my mind like it was yesterday. I remember the Chaplin's car pulling up in our driveway and how loud my Mom screamed....shouting NON, NO, NO!!! Then all "eight" of us children screaming and crying because with that first scream of NO from our mom, we knew. I remember the young Chaplin that came to the door as my mother threw herself against it hoping that if he could not get in the bad news could not either. The Chaplin did make it inside and the only words he could say with tears welling in his eyes were "Mame, I'm sorry..." My mother was in shock for two weeks, she literally just sat and starred across the room. She did not remember the visitors and neighbors that came to help. There was always an eerie silence in the neighborhood when a Chaplin's car appeared. All children that were playing outside instinctively went into their houses, the street cleared and everyone held their collective breath and all thinking the same thing "who's house will the car stop at,

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ME
FISenate
Transp.

Att: 3-8-11

12

who is going to get the bad news?" The lose of my father affected my family in so many ways and we carry the grief with us always. I am now 53, I was 10 when Dad was "killed in action" and I still have a hard time talking about it. The "Mother's" grief is no more or less than ours...

SB-361 and it was introduced 1/12/2010 and those present were; Senator Dick Kelsey, Rep. DeGraaf, Rep. Gary Hayzlett, LTC Alfred T. Bowen (Ret.- fought with my dad), LTC John Basso (KU Army ROTC Prof. Political Science) , Ron Zink (Vietnam Veterans of America- Kansas State Council President) , Gary and Judith Dietz, Ashely Wittorff, Diane and Harvey Nicholson among others. Letters of support were sent to Judi by; Vietnam Veterans of America, American Legion from Mulvane and the Black Horse Association.

SB-361 was suppose to be a tribute to these soldiers KIA or killed in a combat zone. The guidelines were taken from the DD Form 3 (the application for the Gold Star Pin) from the Department of Defense. How many times does it have to be said Gold Star means ONLY those KIA or in a theater of combat.

There is "Next of Kin" pin for "non combat" related casualties.

Please let everyone know that the "Gold Star Pin" is given to; (sighting DD Form 3) widows, parents and next of kin, (next of kin meaning children) of members of the Armed Forces of the United States who lost their lives...and it goes on to list the theaters of combat. So if the DoD only gives a "Gold Star Pin" to a combat casualty then the plates should be given only to families of those KIA or in a combat zone.

There is a difference between KIA (combat zone) and just any military casualty. The "Gold Star" was suppose to be a honor for the ultimate sacrifice. My father's men told us he went down "guns blazing". He was fighting in a jungle with tanks, his letters home

were told of the daunting task of being a warrior. The men and women that are killed in combat should be held in "high esteem".

My story is only one, there are thousands more.. I believe that the grief is the same for anyone who suffers a lose, but the honor bestowed is different.

I want to oppose "House Bill - 2132". The Gold Star Pin is given to the immediate families of those men who gave the ultimate sacrifice, that is, they were "Killed In Action" (KIA). Killed In Action means in the theater of combat or on the battle field. It would do a great disservice to those brave and valiant men to have their deaths lumped together with training accidents and other deaths non combat related. There is a "Next of Kin Pin" for those incidents. There is a distinction between the two. My father died a hero, awarded 3 Bronze Stars with Oak Leaf Clusters and 3 Purple Hearts among other medals. His men said he went down "guns blazing".

among other medals. His men said he went down guns blazing .
This is a true KIA and I could not rest if I let this bill go unopposed.
Do not allow anyone to merge the two they ARE NOT the same.
If they want a "Next of Kin" plate that is fine, let them propose that
plate.

SB-361 Gold Star License Plate, "officially" introduced 1/12/2010.

This is our bill, this is the bill that should pass with Judith Dietz
leading the charge. I cannot and will not let HB-2132 go
unopposed and our outraged ranks are building and we will see this
bill defeated.

Gold Star Pin - (KIA) Killed In Action, in the theater of combat or on
the Battle Field.

DD Form 3, Gold Star Pin Application states KIA.

Next of Kin - died in Non Combat military casualty.

Respectfully,
Jeannette E. (Nicholson) Salcedo

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I would like to take this opportunity to thank Senator Dwayne Umbarger and the other members of this committee for allowing me the opportunity to present my statement opposing HB 2132. This bill is otherwise known as Gold Star Family license plates.

Pvt Norman C Stahl was killed while fighting on the island of Okinawa on June 6, 1945. He served in Company B, 184th Infantry, 7th Infantry Division. He left behind his wife Marie and two daughters. I was born later that month.

This loss traumatized the family who survived. It forced me to grow up without ever feeling the reassuring hand of my father. To never hear the advise that only a father can give to his son. It played into the subsequent death four years later of his wife; my mother.

Some will marginalize the heroic sacrifice of those lost in battle. But let me point out that the sacrifice was always voluntary. Those that participate in battle do so voluntarily. They do not seek death, but accept it as the price you pay in service to your country.

My testimony is in OPPOSITION to HB 2132 as written.

Why would someone like me be in opposition? I am in opposition because it does not honor the voluntary sacrifice that these men and women made. It honors the death of individuals who died under many more circumstances. Any death is tragic, but not all deserve to be categorized the same as those whose families are recognized as recipients of the Gold Star.

HB 2132 includes a qualifier that allows issuance to "Next of Kin of Deceased Personnel is provided to widows(ers), parents, and primary next of kin of armed services members who lose their lives while serving on active duty or while assigned in an Army Reserve or Army National Guard unit in a drill status."

That's right, lose their lives while assigned (but not necessarily serving) but in an Army Reserve or Army National Guard unit in drill status. That means a civilian that loses their life in a car accident, while in the National Guard or Reserve would be eligible for a Gold Star Tag.

If the purpose is to honor these people, then the tag should be designed and labeled as a Next of Kin tag that shows the Next of Kin Pin, not the Gold Star. The Gold Star is reserved for those that are killed in combat! To use any other standard would be similar to allowing the use of the Purple Heart for any service member, including Reserve and National Guard in drill status, who was injured. We call those people that assume awards that are not awarded as POSERS or wannabes. They steal the honor from those that earned the honor.

I would like to thank the committee chairman, and all the members of the committee for the opportunity to state my views.

Sincerely,

Norman C. Stahl, Jr son of Pvt Norman C Stahl, KIA, 06 June 1945, Okinawa Japan.

Petition Signers and Comments

Kansas Resident Signers and Comments

- Brian Willerton Medicine Lodge, KS 67104

I'm not a big fan of boasting Vets, but this strikes at the core of American life and strife.

These are the real heroes, the loved ones left behind to suffer.

I believe it's your duty to fight for your country and those whom we have suffering more are the loved ones needing our support.

The dead take care of their own and the families get to fend for themselves after the fact.

Let's honor them.

- Steven Elliott Olathe, KS 66061

The families of those who serve are heroes in their own right. We can't do the job without them!

- Diane Nicholson Topeka, KS 66604

This is long overdue. Families of the fallen need a way to honor their loved ones. They also do not want their dads, brothers and sons forgotten. This is a simple way to honor the sacrifices of these brave men and their families.

- Boyd Ayer Wichita, KS 67226

My father Capt. Elliott Dean Ayer was MIA/KIA in Korea in 1952.

His remains have never been recovered. This would be one small way to keep his memory and others who gave the ultimate for their Country.

.....

Additional Kansas Signers

Alfred Bowen	Leavenworth	KS	66048
Amanda Doster	Wamego	KS	66547
Christina Jones	Wichita	KS	67214
Gabriel McKeever	Derby	KS	67037
Gary Dietz	Derby	KS	67037-3156
George Stewart	Hoyt	KS	66440
Michael Cushenbery	Wichita	KS	67213
Judith Dietz	Derby	KS	67037-3156
Ron Zink	Tecumseh	KS	66542
Tasha McKeever	Derby	KS	67037
Tommy Phye	Clearwater	KS	67026
Scott Nicholson	Wichita	KS	67203
David Nicholson	Wichita	KS	67203
Antoinette V Ortiz-Colon	Topeka	KS	66614
Helen D J Ortiz	Topeka	KS	66614
Juan C Ortiz	Topeka	KS	66605
Mario Lopez	Topeka	KS	66616
Jorge Colon Jr	Topeka	KS	66614

Kansas Non-Resident Signers and Comments

- June Bailey Milford, OH 45150

Ohio offers this to Gold Star parents....This is one way these men & women will not be forgotten

- Miguel Salcedo Frisco, TX 75034

For my grandfather...

- Sara Vahl Milwaukee, WI 53219

Every soldier deserves the utmost respect, especially those who have died serving our country and protecting the American people.

- Garry Drake Perkins, OK 74059

The Gold Star License Plate is just a small token that our country and our individual states owe the families of our fallen heroes. Oklahoma already has them as well as other states. Kansas legislature, get off your duff and support those that gave you the right to be where you are.

- Richard Stobbs Westerville, OH 43081

I am a Blackhorse Trooper (same unit as PSgt. Glenn Nicholson) who served in Vietnam 1969-70.

The Gold Star Family license plates for combat zone casualties is a very fitting tribute for the families.

I encourage the Kansas senators and representatives to join the over 40 states who have honored our Fallen Heroes with these license plates.

- Pete Miller Dublin, OH 43017

Gold Star Families need our support. Please sign John's petition today and ask your friends, too.

Pete Miller
District 5 Captain, Central Ohio/Capital Region
Facebook Administrator
Ohio Patriot Guard Riders (a fallen hero support group)
www.OhioPGR.org

- June Bailey Milford, OH 45150

Ohio offers this to Gold Star parents, This is one way these men & women will not be forgotten

- James Taylor Jacob, IL 62950

I was the medic with H.Co. and F Trp. of the 11thACR on 5 May 1968 in Cam My, S. Vietnam.

(NOTE: This man most likely was at the scene of PSgt. Glenn Nicholson's death)

- Wesley Emch Kent, OH 44240

I am a Gold Star father. Having a license plate that displays this to others and gets them too understand the loss we suffered for them is important. Folks this is a no-brainer. This lady should not have to gather signatures to get you to do what you should .consider a privilege.

- WALTER C STOUT SR McDermott, OH 45652

We can always tell how much our FREEDOM means to us by how we honor
OUR TROOPS OUR GOLD STAR FAMILIES AND OUR VETERANS...WALTER
C. STOUT SR. PATRIOT/POET FELLOW/ SONG WRITER

Additional Kansas Non-Resident Signers

Alan Haggard	San Diego	CA	92105-5104
Alison Lesch	Milwaukee	WI	53222
Andrea Oefinger	Newtown	CT	6470
Angie Starling	Hickory	NC	28603
Ann Cawley	Saint Joseph	MO	64503
Anthony Cloyd	Hamilton	OH	45011
Bill Craig	Kempton		16823
Brittany Brower	Montgomery	IL	60538
Bryan D. Freehling	Lahaska	PA	18931
Carlee Trent	Springfield	OH	45505
Cindy Brower	Chicago	IL	60538
Connie Sauer	Woodstock	MD	21163
Cristi Sturgill	Mount Vernon	KY	40456
Cynthia Salisbury	Milwaukee	WI	53235
Daniel Hieronimus	Ironton	OH	45638

David Smith	Bridgeport OH	439122
David Frymark	Saint Francis WI	53235
David Povletich	Milwaukee WI	53207
David Wheeler	Beavercreek OH	45431
Dennis Creal	Golden Valley AZ	86413
Donna Babcock	Franklin WI	53132
DONNA MOCK	MEDFORD OR	97504
Doug Blaszczyński	Milwaukee WI	53207
Eddie Elliott	Flatwoods KY	41139
Elaine McKay	Woodstock MD	21163
Elmer Morris	Mt. Dora FL	32757
Eric Herzberg	Manassas VA	20110
Floyd Simpson	Belmont OH	43718
Gregory Esteve	Lake Wales FL	33898
Holly Blaszczyński	Milwaukee WI	53207
Howard Honaker	Mt Gilead OH	43338
James Sarris	Fairfield OH	45014
James Griffiths	Bridgman MI	49106
James Hull	Woodstock MD	21163
James m Nordlund	Fargo ND	58102
James Reilly	Cincinnati OH	45241
James Walker	Janesville WI	53666
Jean Richie	Menomonee Falls WI	53051
Jeannette Salcedo	Fayetteville NC	28303
Jennifer Luffman	Hollywood FL	33020
Jim Mock	Medford OR	97504
John Hien	Milwaukee WI	53207
John Miller	Portland OR	97205
John Prazynski	Hamilton OH	45011
Jose Salcedo	Fayetteville NC	28304
Karyn Lemanczyk	Milwaukee WI	53220
Kathy Frymark	Saint Francis WI	53235
Katie Babcock	APO AE	9021
Kelly Prado	Greenfield WI	53220
Kent Hillhouse	Santa Clara CA	95050
Klaudio Negric	Rijeka	51000
Kristoffer Martin	Eau Claire WI	54701
Kurt Frees	Cincinnati OH	45255
Lauren G	Monrovia CA	91016
Leverett Spinac	New York NY	10010
Linda Hervatin	Pueblo West CO	81007
LISA COOK	FORT WORTH TX	76112
Louis Reymann	Woodstock MD	21163
Marc Miller	Akron OH	44319
Maxi Mock	Medford OR	97504
Melissa Feldhaus	Hamilton OH	45011

Merrick Buffaloe	Raleigh	NC	27603-4121
Michelle VanDam	Brookfield	WI	53045
Natasha Leite de Moura	Rio de Janeiro		20511030
Nicole Weber	Pasadena	MD	21122
Ollie Pickral	Kilmarnock	VA	22482
Paul Bennett	Sedalia	MO	65301-2231
Peggy Acosta	Womelsdorf	PA	19567
Randy Brady	Glen Burnie	MD	21060
Rebecca Hien	Milwaukee	WI	53207
Richard Blaszczyński	St. Francis	WI	53235
Richard Crilly II	Yucaipa	CA	92399
Robert Baldo	Orlando	FL	32825
Robert Sikorski	Milwaukee	WI	53207-5242
Robert Spaniol	Los Banos	CA	93635
Robert Woods	West Chester	OH	45069
Ronald Kaluzny	Milwaukee	WI	53207
Ronald Salisbury	Gorham	ME	4038
Roy Grant	Milesburg	PA	16853
Shawn Revelle	Kansas City	MO	64110
Sherry Lemons	Bethany	MO	64424
Stacy Wene	Maineville	OH	45039
Stephen Greene	Ellerbe	NC	28338
Steven Gossard	Wapakoneta	OH	45895
Terry Senger	Fairfield	OH	45014
Thomas Sikora	East Aurora	NY	14052
Timothy Harden	Milwaukee	WI	53207
Tina Warndorf	Burlington	KY	41005
Tony Balas	Columbus	TX	78934
Tracy Brinkley	Chicago	IL	60638
John D Ortiz	Chicago	IL	60154



TESTIMONY

Senate Transportation Committee

House Bill No. 2172

March 8, 2011

Chairman and Committee Members:

I am Gayla Shields, Miami County Treasurer, and am appearing today on behalf of the Kansas County Treasurers Association regarding House Bill 2172.

Members of the Kansas County Treasurers Association have been working in conjunction with the Department of Revenue for more than a year on the development and implementation of new software for motor vehicle registration and title issuance.

The Kansas County Treasurers Association is requesting this change in legislation to allow the full use of the new software application. The system will accommodate an original signature when a vehicle is registered, followed by fast track renewals. Not requiring a signature for a renewal transaction will speed up the renewal process, which should reduce customer wait time, getting the motoring public back on their way sooner.

In previous discussions during the development stages of the new software, there was consensus with the Department of Revenue that this change is needed.

Thank you for your time and attention. On behalf of the Kansas County Treasurers Association, I would respectfully request the Transportation Committee recommend House Bill 2172 favorably. I would be happy to answer any questions.

Gayla Shields

Senate
Transp.
Att: 3-8-11
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