

REVISED
SESSION OF 2014

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2681**

As Amended by Senate Committee on Federal
and State Affairs

Brief*

Sub. for HB 2681, as amended, would abolish the Kansas Commission on Veterans Affairs (KCVA), create the Kansas Commission on Veterans Affairs Office (KCVAO) and the Veterans Claims Assistance Program, and make other changes relating to the transfer and establishment of powers, duties, and functions.

Agency Organization

Under the bill's provisions, the KCVA would be abolished and all powers, duties, and functions would be transferred to the KCVAO effective July 1, 2014. The KCVAO would be responsible for providing services and support to veterans and their relatives and dependents, along with managing and operating the Kansas Soldiers' Home and the Kansas Veterans' Home.

The KCVAO would be administered by a Director who would be appointed by the Governor and subject to confirmation by the Kansas Senate. Additionally, the Director would be required to be a veteran. The bill also would authorize the Director to appoint and oversee, subject to approval by the Governor, the following:

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Superintendent of the Kansas Soldiers' Home;
- Superintendent of the Kansas Veterans' Home; and
- Deputy Director of Veterans Services.

Annual Reporting Requirement

The bill would require the Director of the KCVAO to annually prepare and submit a written report to both the House Committee on Veterans, Military and Homeland Security and the Office of the Governor. The first report would be submitted on or before the first day of the 2015 Legislative Session. Under the provisions of the bill, the report would include the following:

- Progress made by the KCVAO and its director in response to recommendations made by the Legislative Division of Post Audit in the preceding fiscal year;
- Information on the current financial procedures implemented by the KCVA at the Kansas Veterans' Home and the Kansas Soldiers' Home;
- Information on the current residential care services provided for veterans at both facilities; and
- Recommendations for any necessary legislation required to ensure the State of Kansas is providing the necessary services and care for Kansas veterans.

Veterans Claims Assistance Program

The bill would abolish the Veterans Claims Assistance Advisory Board and replace this Advisory Board with the Veterans Claims Assistance Program (VCAP). The purposes of the new program would include the following:

- Improve the coordination of veterans benefits counseling in Kansas;
- Ensure taxpayer dollars are used efficiently and effectively;
- Ensure every veteran is served and receives the necessary counseling and assistance; and
- Advise the Director of the KCVAO on all veterans services, including the VCAP.

Under the bill's provisions, the Deputy Director of Veterans Services would be a permanent member of the VCAP and serve as chairperson of its new advisory board.

Veterans Claims Assistance Program Advisory Board

The Veterans Claims Assistance Program Advisory Board would advise the Director of the KCVAO on veterans' services, including the VCAP. The new board would replace the Veterans Claims Assistance Advisory Board. The new advisory board would consist of at least seven members as follows:

- The Deputy Director of Veterans Services, who would be a permanent member of the advisory board and who would serve as chairperson of the advisory board;
- A member of each veterans service organization participating in the grant program;
- Two representatives appointed by the Governor. Both appointees must be veterans. Also, any veterans service organization may submit a list of three names for consideration by the Governor and the Governor must consider each list and may appoint an individual from among those listed;

- Two legislators, one from each house, with the Speaker of the House and the President of the Senate each appointing a member. Under the provisions of the bill, one legislator must be a member of the Democratic Party and one legislator must be a member of the Republican Party.

Additionally, if there were fewer than two veterans service organizations participating in the grant program, then the Governor would be required to appoint the remaining members of the advisory board; however, appointments under this provision would not be allowed to exceed two members.

Veterans' Funds

The bill would eliminate a requirement that any member's (veteran) funds in excess of \$5,000 be deposited with the Treasurer. Under current law, members are permitted to use those funds for their personal use, benefit and burial; however, any amount in excess of \$5,000 is deposited with the State Treasurer for safekeeping. Additionally, the bill would require the director of the Kansas Commission on Veterans Affairs Office to designate an individual at both the Kansas Soldiers' Home and the Kansas Veterans' Home to oversee the funds.

Background

HB 2681, as introduced, would have abolished the KCVA and transferred all its powers, duties, and functions to the Kansas Executive Director of Veterans Affairs, which would have been created within the Office of the Governor. The original bill also would have required the Executive Director be appointed by the Governor. Additionally, the bill would have created the Kansas Advisory Committee on Veterans Affairs. The House Committee on Veterans, Military and Homeland Security inserted the contents of HB 2624 and

HB 2581 into HB 2681. The House Committee then adopted a substitute bill which incorporated the provisions of HB 2624, HB 2581, and HB 2681.

The sections in the bill dealing with the elimination of the KCVA and the appointment of the Executive Director were contained in HB 2681. The House Committee heard testimony in support of the bill from a representative of the Military Officers Association of America. Testimony in opposition to the bill was provided by a representative of the Kansas American Legion. The KCVA provided written testimony in opposition to the bill.

The annual reporting requirement was originally contained in HB 2581. The House Committee heard testimony in support of the bill from a representative of the Kansas American Legion. Additionally, the KCVA also testified in support of HB 2581.

The section of the bill dealing with member funds was originally contained in HB 2624. Testimony in support of the bill was provided by a representative from the Kansas American Legion. Written testimony in support of the bill was provided by the KCVA to the House Committee.

The Senate Committee heard testimony from Representative Goico and Representative Meier, representing the Veterans of Foreign Wars, who testified in support of Sub. for HB 2681. The Committee received written testimony in support of the bill from the Kaw Valley Chapter of the Military Officers Association of America. The Executive Director of the KCVA offered neutral testimony on the bill. Testimony in opposition to the bill was offered by a representative of the Kansas Department of the American Legion.

The Senate Committee further amended the bill to create the Veterans Claims Assistance Program Advisory Board. Additionally, the Senate Committee amended the bill to eliminate the Kansas Advisory Committee on Veterans

Affairs. Also included in the amendment was clarification that the Deputy Director of Veterans Service would review all applications for the Vietnam War Era Medallion, medal and certificate to ensure applicants are enrolled for eligible federal benefits.

The fiscal notes, as prepared by the Division of the Budget on HB 2624 and HB 2581, indicated neither bill would have a fiscal impact. The fiscal impact of HB 2681, as introduced, was not able to be determined due to the complexity of the bill. The Office of the Governor reported that HB 2681, as introduced, would increase the size and scope of the Governor's Office; however, the bill would not have an effect on the state budget. An updated fiscal note was not available during the Senate Committee hearing.