

MINUTES OF THE VETERANS AFFAIRS SELECT COMMITTEE

The meeting was called to order by Chairman Lee Tafanelli at 7:00 A.M. on March 22, 2006 in Room 241-N of the Capitol.

All members were present except:

Representative John Grange- excused
Representative Mike Peterson- excused

Committee staff present:

Amy Deckard, Kansas Legislative Research Department
Heather Klaassen, Intern, Kansas Legislative Research Department
Jim Wilson, Revisor of Statutes Office
Gina Bowes, Committee Secretary

Conferees appearing before the committee:

Representative Candy Ruff
Wayne Bollig for George Webb, Executive Director, Kansas Commission on Veterans Affairs
Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion
Jeff Lawson, Past State Commander Kansas Veterans of Foreign Wars
Jim Bunker, Veteran Information Network
David Brader, Adjutant, Disabled American Veterans

Others attending:

See attached list.

- Attachment 1 Overview of **SB 396**
- Attachment 2 Overview of **HB 3015**
- Attachment 3 Overview of Washington State Department of Veterans Affairs Claims Quality-Assurance Program
- Attachment 4 Sub-Committee Report on **HB 3015** by Representative Candy Ruff
- Attachment 5 Testimony by Wayne Bollig, Chief Operations Officer, Kansas Commission on Veterans Affairs
- Attachment 6 Testimony by Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion
- Attachment 7 Testimony by Jeff Lawson, Past State Commander Kansas Veterans of Foreign Wars
- Attachment 8 Testimony by Jim Bunker, Veteran Information Network
- Attachment 9 Testimony by David Brader, Adjutant, Disabled American Veterans
- Attachment 10 Proposed Amendments to **HB 3015** by Representative Candy Ruff

Hearing on SB 396 - Military veteran license plates, travel trailers.

Amy Deckard, Kansas Legislative Research, explained sections of **SB 396** (Attachment 1) which adds travel trailers as one of the allowable options for military veterans license plates distributed by the Department of Revenue under current law as well as passenger vehicles, trucks and motorcycles.

There were no proponents or opponents of **SB 396**. Chair Tafanelli closed the hearing on **SB 396**.

Hearing on HB 3015 - Veterans claims assistance program.

Staff explained sections of **HB 3015** (Attachment 2) which directs the Kansas Commission on Veterans Affairs to establish and administer a veterans claims assistance program to be implemented through annual grant agreements with Veterans Service Organizations (VSOs). The program would be established and operations would commence on or before August 1, 2006, and would be subject to appropriation by the Legislature. **HB 3015** directs the Kansas Commission on Veterans Affairs to adopt rules and regulations to implement and administer the granting program prescribing guidelines and limitations; powers, duties and functions for the commission and VSOs; and provide for annual reporting to, and study and review by, the Legislative Budget Committee.

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Heather Klaasson, Intern, Kansas Legislative Research Department presented a briefing outline on the Washington State Department of Veterans Affairs Claims Quality-Assurance program (Attachment 3). The Washington State program is an example of granting programs other states utilize. In July 2003, the Washington Department of Veterans Affairs implemented a new program called the Claims Quality Assurance Program.

Representative Ruff briefed the Committee on a Subcommittee Report Memorandum regarding **HB 3015** (Attachment 4). Representative Ruff expanded on components for the granting program modeled on aspects of the Washington State program. One of the main components is that VSOs must agree to work as a partner with the Kansas Commission of Veterans Affairs (KCVA) in the establishment of one-stop veterans' service centers at the Veterans Administration Medical Centers in Wichita, Topeka and Leavenworth. In adhering to the components for the granting program, Representative Ruff pointed out that although the Disabled American Veterans (DAV) provide a valuable service to Kansas veterans, its national bylaws prohibit participation in the cross accreditation of other VSO and KCVA personnel, a key element to this program. In addition, its national bylaws prohibit the exchange of information on claims, eliminating its participation in the quality assurance program for the processing of claims.

Wayne Bollig, Chief Operations Officer, Kansas Commission on Veterans' Affairs, presented testimony on behalf of George Webb, Executive Director, Kansas Commission on Veterans' Affairs, in support of **HB 3015** (Attachment 5). Mr. Webb had issue with several components for implementation of the grant program and asked the Committee to consider those issues before effecting the program. Responding to questions pertaining to the KCVA being able to process claims to their completion, Mr. Bollig stated that although an Attorney General's opinion states KCVA has the authority to be considered a VSO, some disagreement exists to the interpretation of K.S.A. 73-1211 regarding the authority of the KCVA to be considered a VSO. In an effort to eliminate competition between the KCVA and VSOs, it was recommended to revise K.S.A. 73-1211 toward providing clarification.

Lee Stolfus, Chairman, Veterans Affairs Rehabilitation Committee, American Legion, presented testimony in support of **HB 3015** (Attachment 6). Mr. Stolfus stood for questions.

Jeff Lawson, Past State Commander, Kansas Veterans of Foreign Wars, presented testimony in support of **HB 3015** (Attachment 7). Mr. Lawson perceived it to be imperative that funding for this legislation should be appropriated from a new funding source and not from existing funds currently appropriated for the operation of the KCVA. Mr. Lawson stood for questions.

Jim Bunker, Veteran Information Network, presented testimony in support of **HB 3015** (Attachment 8). Mr. Bunker stood for questions.

David Brader, Adjutant, Disabled American Veterans, Department of Kansas, presented testimony in opposition to **HB 3015** (Attachment 9). Mr. Brader requested a change in language in **HB 3015** whereby the VSO shall agree to cross-certify except where the national organization's by-laws prohibit such cross-certification, which includes officers and employees of the KCVA and veterans claims assistance representatives of other VSOs who are performing services under the veterans claims assistance program. Mr. Brader stood for questions.

Chair Tafanelli closed the hearing on **HB 3015**.

Representative Ruff moved to strike the language of SB 396 and insert the language of HB 3015 into SB 396 and report it as House Substitute for SB 396. The motion was seconded by Representative Burgess. Motion carried.

Representative Ruff moved an amendment (Attachment 10); to amend HB 3015 to establish an advisory board with the Kansas Commission on Veterans' Affairs, which shall be known as the Veterans Claims Assistance Advisory Board; and by inserting "The Kansas Commission on Veterans' Affairs shall appoint the director of the veterans claims assistance program who shall be in the classified service under the Kansas civil service act." Representative Ruff closed the amendment, The motion was seconded by Representative Ruiz.

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Motion carried.

Representative Ruff made a motion to amend K.S.A. 73-1211 (Attachment 10). Discussion ensued regarding this motion and it was decided consideration of the consequences of this amendment should be reviewed further. Representative Ruff withdrew her motion.

Representative Ruff moved to recommend **House Substitute for SB 396**, with any necessary technical amendments needed to clarify the term cross accreditation, as amended favorable for passage. The motion was seconded by Representative Kelly. Motion carried.

Representative Brown moved to amend **HB 2894** using the language contained in K.S.A. 75-2955 as the definition for veteran for the purposes of the bill. The motion was seconded by Representative Holmes. Motion carried.

Representative Brown moved to amend **HB 2894** to clarify that the provisions of the bill would apply to service members who have been honorably discharged and require the veteran to provide appropriate documentation from the federal Veterans Administration or a branch of the armed services. The motion was seconded by Representative Ruff. Motion carried.

Representative Brown moved to recommend **HB 2894**, as amended, favorable for passage. The motion was seconded by Representative Ruff. Motion carried.

Minutes were sent out electronically to all members on March 31, 2006, from meetings dated March 9th and March 22nd with a message stating minutes would be considered approved unless otherwise notified.

The meeting adjourned at 8:45 a.m.

Another meeting is not scheduled.