

MINUTES OF THE HOUSE COMMITTEE ON TOURISM

The meeting was called to order by Chairperson Carol E. Beggs at 3:35 p.m. on February 19, 2001 in Room 522-S of the Capitol.

All members were present except:

Committee staff present: Renae Jefferies, Revisor of Statutes
 Hank Avila, Legislative Research Department
 Carol Doel, Committee Secretary

Conferees appearing before the committee: Representative Lee Tafanelli
 Representative Kenny Wilk
 Mr. Ken Strafer - Washington, D.C.
 Mr. Bill Newby
 Lieutenant General Robert Arter
 Adjutant General, Greg Gardner
 Williams Richards, Kansas Council of Chapters
 Colonel Malen E. Dowse
 Jean Barbee, TIAK

Others attending: See attached list

Chairman Beggs called the meeting to order at 3:35 p.m.

HCR 5011 Memorializing Congress to provide health care for retired military personnel.

Representative Tafanelli addressed the committee as a proponent of the resolution. He stated this resolution is the first step in fulfilling our responsibility and our obligation to the retired military men and women who have served our great state and nation so honorably. Through Federal Regulatory changes in entitlements for military health care benefits and the downsizing of the military during the 90's at its installations, the veterans have lost significant portions of their health care support systems. He feels that we must stand up for what is right and defend those individuals that spent a career defending us.

(Attachment 1)

Addressing the committee as a proponent of **HCR 5011** was Representative Kenny Wilk who stated that he is pleased that there is a hearing today and he wished to lend his strong support. He wished to thank Mr. Newby who has worked tirelessly across the country and deserves a lot of credit. He feels that it is somewhat sad that we even have to have this resolution. (No written testimony)

Mr. Ken Strafer of Washington, D.C., Senior Advisor, Veterans Affairs, appeared before the committee as a proponent. He states that the mission that was entrusted to our veterans was to safeguard the safety of our nation. Now we are being sought for the important mission to restore and safeguard the healthcare and other benefit entitlements that have eroded away from our veterans. (Attachment 2)

The next proponent, Mr. Bill Newby, represents the Class Act Law Suit. The court found there is indeed a broken promise between the United States Government and thousands military retirees. This was handed down February 9. The retired World War II, Korean Veterans are asking that they be given the very things that the courts have found they are entitled to. (No written testimony)

MINUTES OF THE HOUSE TOURISM COMMITTEE, Room 522-S Statehouse, at 335 p.m. on
February 19, 2001
CONTINUATION

Lieutenant General Robert Arter was the next proponent for **HCR 5011**. It was General Arter's opinion that with this resolution, we have a vehicle to correct what needs to be corrected and a vehicle of excellent teaching, an education vehicle in this business. (No written testimony)

Next to address the committee as a proponent for this resolution was Adjutant General, Greg Gardner. He commended the Representatives and all involved for supporting this resolution insuring our retired military personnel and their families of having medical benefits. (Attachment 3)

Appearing before the committee in support of **HCR 5011**, was William E. Richards, Sr., retired Lieutenant Colonel United States Army. Colonel Richards appeared on behalf of Kansas military retirees to urge passage of the resolution. (Attachment 4)

The last conferee to appear in support of this resolution was Retired Colonel Malen E. Dowse on behalf of the National Guard Association of Kansas stating that this is certainly a correct and timely step in assuring lasting health care for our retired military members. (Attachment 5)

The conferees stood for questions.

Chairman Beggs entertained a motion.

Representative Osborne made a motion to pass HCR 5011 favorably out of committee. This was seconded by Representative Levinson. Motion passed favorably with one abstention.

HB 2098 Re-referred to Tourism on general orders - Commercial guide services; permits requirements; reports of dispositions of prosecutions.

Chairman Beggs asked for a motion to remove **HB 2098** from the table with the following amendment made by Wildlife and Parks (*Page 7, Line 4 Providing guide services on land not owned or leased by the individual providing the services shall not by itself constitute evidence that the services are provided on a commercial basis*).

Representative McClure made a motion to take the bill off the table. Representative Osborne seconded the motion. The vote was unanimous to remove the bill from the table.

Representative Jerry Aday made a motion to pass the bill as amended.. This motion was seconded by Representative Levinson. The motion passed favorably.

Representative Ethel Peterson made a motion to move the bill out of committee as approved and as amended. This was seconded by Representative Osborne. Motion passed favorably.

HB 2414 Kansas tourism advertising fund

Chairman Beggs asked if there was anyone who needed additional discussion on **HB 2414**. Being no discussion, Chairman Beggs asked for a motion on the bill.

Representative Loganbill made a motion to pass the bill out favorably. Representative Osborne seconded the motion.

The advisor explained that there is an amendment to the bill. *At the end of line 36, the word secretary is to be changed to director.*

Representative Campbell made a substitute motion to pass the bill out favorably with the amendment. This was seconded by Representative Loganbill. The motion passed favorably.

HOUSE COMMITTEE ON TOURISM, Room 522-S Statehouse, at 3:35 p.m. on
February 19, 2001
CONTINUATION

Representative Margaret Long made a motion to adopt the minutes of February 12 as read. This was seconded by Representative Ballou. Motion passed and the minutes were adopted as read.

Representative Ethel Peterson made a motion to adopt the minutes of February 14 as read. This was seconded by Representative Campbell. Motion passed and the minutes of February 14 were adopted as read.

Chairman Beggs made the announcement that there would be no more Tourism meetings until after turn around.

Meeting adjourned at 4:45 p.m.

HOUSE TOURISM COMMITTEE GUEST LIST

DATE February 19, 2001

NAME	REPRESENTING
William E. Richards	Ks. Council of Chapters, TROA
CHAD LUCE	KDWP
Jean Baber	TIAK
Melody B. Strewer	
Gerald Y. Dwyer	USN Ret Des 15011
Bill Newby	USN Ret " 5011
Alex Kopyantz	TOURISM
Chuck Bredahl	Adjutant General's Dept
Greg Gardner, Major Gen	Adjutant General of Kansas
LTG (R) and Major Robert Huter	USA Retired
Ken Stroman	V.A.
Coc (R) Malen E. Dowse	Net Guard Assn of KS
Bill Hongill	Governor's Office
Chris Tymeson	KDWP
Clint Riley	KDWP
Roger Trauzle	KGC
Jim Allen	Kansas Outfitters ASSN

LEE TAFANELLI

REPRESENTATIVE, 47th DISTRICT
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(785) 945-3808

STATE CAPITOL, RM. 175-W
TOPEKA, KANSAS 66612
(785) 296-7698



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: E-GOVERNMENT
HIGHER EDUCATION
TAXATION
GEN GOVT & HUMAN RESOURCES
BUDGET

TESTIMONY
TOURISM COMMITTEE
FEBRUARY 19, 2001
HCR 5011

Good afternoon Mr. Chairman and members of the committee, thank you for allowing me the privilege to testify in support of HCR 5011. This resolution is a first step in fulfilling our responsibility and moreover our obligation to the retired military men and women who have served this great state and nation so honorably. These citizens have risen to the defense and safeguard of our state and nation as they defended our democratic way of life, and the freedoms set down by the founding fathers of this nation. These retired veterans now constitute a significant portion of the aging population in this country and in particular our state. These retired veterans were guaranteed through contract, both stated and implied, lifetime access to medical benefits for themselves and their immediate family members upon retirement for serving their nation unselfishly and honorably for 20 years or more.

Through Federal Regulatory changes in entitlements for military health care benefits and the downsizing of the military during the 90's at its installations, these veterans have lost significant portions of their health care support systems.

The health care benefits which were lost, forced retired veterans to pay for medical coverage from alternative sources and for those retired veterans over the age of 65, it has forced them into programs such as Medicare. Many of these veterans and their families live on fixed incomes where the loss of medical benefits significantly impacts their quality of life, disrupts their needed levels of care and puts out of reach certain health care procedures that were previously available to them.

The National Defense Authorization Act for 2001 did make some improvements that will help our retired veterans. The act becomes effective October 1, 2001 and extends the current military health care system TRICARE benefits to Medicare-eligible retirees of the Uniformed Services,

their family members, and survivors. In order to receive the TRICARE benefits, Medicare eligible retirees must purchase and be enrolled in Medicare Part B. With both Medicare Part B and TRICARE there are applicable monthly premiums, cost-shares for services and deductibles that our veterans have to pay for out of their pockets. Although these are significant, these improvements still fall short of what is needed to adequately provide health care benefits to our retired veterans.

These honorable men and women of Kansas and this nation who have served and sacrificed in the uniformed service of our country are deserving of the health care benefits that they were promised for serving 20 or more years of service to their country.

I believe that if we are going to ask young men and women to serve and defend this nation in the future, then we as a nation have the obligation to ensure that we live up to our responsibility to those that have already served and that we provide them with the health care and the other benefits that they

are entitled to, nothing more nothing less. We must stand up for what is right and defend those individuals that spent a career defending us.

Mr. Chairman, members of the committee thank you for your time and your consideration of this resolution.

Statement of Ken Strafer

Senior Advisor, Veterans Affairs

Office of Lt Governor John Hager
Commonwealth of Virginia

And Candidate, Deputy Assistant Secretary of Veterans Affairs,
Federal Department of Veterans Affairs

Before

State House of Representatives

Topeka, Kansas

February 19, 2001

Good Afternoon, and thank you Mr. Tafanelli for inviting me to testify this Kansas afternoon.

I feel that it is particularly significant that I come before you in this room ----- because I come not as a stranger to Kansas nor to the issue of Veterans Legislation. During my 26 years as both an Active and Reserve forces member, I was often asked by both Secretaries Casper Weinberger and later Dick Cheney to visit various organizations and commands located in Kansas. It was always a pleasure being with the Kansas Army and Air National Guard, Army Reserves, Active Army, and Air Forces stationed here in Kansas. It was in this state that the current military leadership of the land forces of the United States were trained in the arts and skills they need everyday in our Nation's defense. Let us all be hopeful that these men and women execute their tasks in an effective and benevolent way. I, like the senior leadership of the military, was fortunate enough to have enjoyed training at nearby Fort Leavenworth's Command and General Staff College in the mid 1980's. To me, it was truly an honor.

But I have been asked here, not to discuss my training, but to discuss the state of Veterans Healthcare issues and related benefits earned by those that accepted the challenge and marshaled the courage and strength to leave Kansas to serve both the state and nation in times of crisis and strife. For the last several years, again emanating from my awareness gathered here at Fort Leavenworth, I have been emerged in legislation and programs associated

with our Nation's Veterans, whom many are struggling with healthcare and related concerns.

I believe it was former President Abraham Lincoln who said (and I paraphrase), for those that have boldly stepped forward, and took up arms in the defense of this Nation's people, it is that Nation's duty to care for them, their families, their widows, their children when they return.

If this is the tempo of our minds, to reach out and assist our Veterans as they return to Kansas' economy to join as productive members, then let me turn to the current state of support. Both the Departments of Veterans Affairs and Defense can take pride in some of the recent programs and plans to ensure healthcare is provided in a quality manner to those that serve this nation.

About the programs entrusted to the Federal Government, there is criticism that I suspect would rather not see the light of day. Certainly, there are proposals that veterans and military service organizations will praise. There are also proposals that the Federal Government will oppose. Some of these proposal recommendations that I have seen will increase "efficiency" and others are projected to save money. Still, other recommendations will cost money.

The question in every veteran's mind is: "Which one will prevail?" This body, as well as those among the more than 50 other states and territories, will have a voice in that decision. Your delegation in the Congress of this great Nation will be part of that deliberative body that will vote later this year on which plans and programs this administration will follow. You are part of that body which will be calling the balls and strikes in this series of major league play. The veterans of this State, and the Nation, are asking you for assistance, and, I believe, you will find it in you to pass the concurrent resolution before you to provide extended healthcare benefits to those Veterans that have retired from the military.

Each of us in this room stands in awe of the importance of the mission that was entrusted to our veterans: to safeguard the safety of our nation. Now each of you are being sought for a similar mission of importance: to restore and safeguard the healthcare and other benefit entitlements that have eroded away from our veterans during a major portion of the 1990's. We, as veterans, know that you have the experience on legislative matters and processes to accept that challenge, and, we know that for many of you, have

the Executive experience to rally your colleagues and support on not only this measure but other veterans actions that might be pending before you in this august body.

I know that some of you are Democrats, some are Republicans. I ask you to put those philosophical differences aside when deliberating this matter before you. As Soldier, Sailor, Airmen and Marines, political philosophies never separate us on the battlefield of yesterday. Now, we look to you to become "our soldiers" in this a quest for veterans' benefits.

I know that some of you made your careers in business, some in public service, some in the non-profit sector. I challenge you to recognize that there are no differences on this issue. There may be variations of understanding of the issues being raised by our veterans. But all of us place a high value on the men and women who wear the uniforms of our Nation's armed forces. All of us know that our Nation cannot guarantee a successful outcome for every servicemember and veteran's life. But each of us should believe that our Nation must stand by our service members as they exchange their military uniforms for their civilian clothes.

Just as those servicemembers (whether Sailors, Airmen, or GIs) stood up for us when they took their oaths of enlistment and exchanged their civilian clothes for the uniform of a recruit, we look to you in this deliberative body as their defender.

This is a uniquely important topic for the next couple of years as Federal programs are reviewed, funded, reoriented, and perhaps some new focuses added for our dwindling veterans population. With somewhere around 350,000 veterans and perhaps a quarter of that being military retirees, there is a constituency within Kansas for program improvements at both the local and Federal levels. I am sure there will be some disagreements as to how this should be done, but hopefully in the end the result is a consensus for the veterans without dissent.

Today, I will not be able to address each recommendation being circulated due to the brief time allotted for oral statements. I would ask that the text of the report be made a part of the record of this hearing. That hearing record, combined with the language of H.C.R. 5011 graciously introduced as a "by request" bill by Representative Tafanelli and other distinguished members of

this panel, will then become the basis for discussion and deliberation of the issues we raise in our report.

The essence of the challenge before this body in Kansas or our House of Delegates in Virginia is to develop plans that when executed empower individual service members and veterans to craft their own solutions to the challenges they will face in their civilian lives. We know that some programs administered today are not effective in placing veterans in suitable, economy enhancing jobs. Those programs over the next couple of years must be completely overhauled.

Within the veterans' community at large, I have found that business people do not believe that recently separated veterans (who by definition are mature, disciplined, drug-free, teamwork-oriented individuals) should have a higher unemployment rate than non-veterans the same age. But that is what we have found.

Many will argue that immediate employment is the key to successful civilian transition. It is my belief that education is the key to a successful transition. However, today, I will focus you on the healthcare issues that HCR 5011 addresses.

In my work, I have found men and women leaving the service that are concerned about healthcare coverage. Legislative commissions established from time to time usually address these concerns. That is the case with the most recent 1999 Congressional Commission on Veterans Issues. But, in the end, healthcare for service members and veterans will be provided by the healthcare systems of both the Departments of Defense and Veterans Affairs.

Today, retired military Veterans, age 65 years and older vacate the military healthcare system and must compete for space in the large national Medicare program. Just this last fall, adjustments were made to allow a more favorable Medicare Plan B option for these military retirees. However, it is still a co-payment and purchase system that annually costs the military retiree upwards of \$1,500 for average care and of course extends expeditiously if there is any illness involved.

This cost may seem reasonable to most, however one must consider that in most cases that is perhaps a significant portion of a retiree's annual pay if

you consider that those age 65 or older left the military in the mid-1980's. They have not enjoyed any of the significant adjustments to the military pay that came soon after that date. An Army or Air Force Captain retiring in that period earned about \$1,500 a month in pay at 20 years. Those military persons below that rank receive substantially less.

We can see that the retiree financial compensation is limited, if not fixed for these families. So when medical costs escalate as they did under the last Presidential administration, they are felt in all parts of Kansas and the nation.

Within the veteran's organizations, there is a concern for the future of these uniquely valuable Federal healthcare systems. Frankly, the two Federal Departments do not have the resources they need to fulfill their obligations to the men and women now standing in the ranks of freedom's defenders, let alone those of the past.

There is some concern that unless attention is given to these healthcare programs, the systems will fail both the American people, and the men and women who defend our freedom. We must ensure that they better utilize the limited resources available to them.

There are many suggestions and recommendations that abound in the halls of Congress to help the systems operate more efficiently. I am sure these recommendations will be heard here in Topeka, such as business practice improvements that exploit information management and improve the acquisition of pharmaceuticals and medical surgical supplies. There are recommendations to increase both the depth and breadth of the partnership between the Departments that will help them create synergistic increases in efficiency by better coordinating the utilization of the resources of each Department.

In summary, Mr. Tapanelli, I believe, that the American people, and the men and women who defend their freedom, face a good news / bad news situation.

The bad news is that many of the benefits and programs created to ease Service members' transitions to civilian life have been overcome by events and are no longer as effective as I believe the American people expect.

The good news for this Committee is that these programs can be improved and fixed. The fix must come from both the Federal and State levels. The solutions must be in the form of a Cooperative: the Federal sector, knowing the programs, managing those best and the State, being that vehicle who knows the people the best, assuming that linkage. This will be a challenge for states that do not have the infrastructure in place to be responsive to measures like Veterans Assistance programs and healthcare reform. But I ask you to consider what is needed, stand fast, and resolve to answer the question, "What will we do in Kansas for our veterans." I know with HCR 5011, you will have taken that very necessary first step.

As a veteran, I am grateful to you for allowing me to address these issues before your deliberative body, and I applaud you for scheduling this hearing. I appreciate the opportunity to discuss some veterans programs and recommendations to fix them.

I stand ready with you to assist you in your deliberations in any way I can.

Thank you. Ken Strafer

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

From: Gardner, Greg Maj Gen
Sent: Tuesday, February 20, 2001 11:47 AM
To: Bredahl, Chuck
Subject: HCR 5011 Testimony

TESTIMONY
HOUSE TOURISM COMMITTEE
HOUSE CONCURRENT RESOLUTION No. 5011
FEBRUARY 19, 2001

Good afternoon Chairman Beggs and members of the committee. On behalf of over 8,000 active and tens of thousands of retired Kansas National Guardsmen I would like to thank you for the opportunity to testify on House Concurrent Resolution No.5011. There are two things I would like for you to take away from my testimony this afternoon.

First, Mr. Chairman it is very impressive to see 70 Representatives sponsoring this resolution in addition to you; especially since it is very clearly bipartisan support. It shows you all take very seriously your seminal responsibility, the one outlined in our state and nation's constitution, that is, providing for our defense.

The second, relates to the All Volunteer Military to which Lieutenant General Arter referred a moment ago. The key to its success, and my most significant point this afternoon is "keeping our promises to service members." I believe Congress has come a long way in the last two years doing just that. We appreciate Senator Roberts leadership in sponsoring the bill that reinstated a full retirement for all service members, undoing a reduced retirement system created over a decade that would have treated service members differently. We also appreciate Senator Warner's lead in the effort to provide TRICARE for life. The resolution you consider today is a part of "keeping those promises." Thank you again for supporting it.

Major General (KS) Gregory B. Gardner
Adjutant General of Kansas
(785) 274-1001
DSN 720-8001

KANSAS COUNCIL OF CHAPTERS THE RETIRED OFFICERS ASSOCIATION

Topeka, Kansas
February 19, 2001

To: Kansas House of Representatives, Tourism Committee.

Honourable Chairman and Member of the Committee:

My name is LtC(ret), William E. Richards, Sr., and my residence is here, in Topeka, Kansas.

I am here, this afternoon, on behalf of the thousands of uniformed Kansas military retirees represented by the Retired Officers Association (TROA), who favourably support House Concurrent Resolution 5011.

I am the appointed Lobbyist for the Kansas Council of Chapters, The Retired Officers Association.

Having served in the U.S. Army for 27 years, 5 months and 11 days, commencing in 1943, I can personally speak about the shameful action by the U.S. Congress, in 1956, to break the promise and contract with retired veterans, ^{that} health care coverage would be provided to them and their immediate families after they had served and earned a retirement from military service. I am a veteran of World War II, Korea and Vietnam, and speaking for my comrades and myself, I say SHAME! We deserve better and fairer treatment!

The favorable passage of House Concurrent Resolution ⁵⁰¹¹ would be sincerely appreciated by Kansas military retirees. THANK YOU!

William E. Richards, Sr.
William E. Richards, Sr.
Lobbyist
708 SW Fillmore St.
Topeka, Ks. 66606-1442
(785)234-4555

House Tourism Committee
February 19, 2001
Attachment 4



NATIONAL GUARD ASSOCIATION of KANSAS

P.O. Box 19031

Topeka, Kansas 66619-0031

Phone: (785) 862-1066 FAX: (785) 862-7203

Toll FREE: 1-800-685-7978

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19 March 2001

SUBJECT: Testimony in Support of Kansas House Concurrent Resolution No. 5011

I testify today on behalf of the National Guard Association of Kansas with over 1,300 members made up of the officers of the Kansas Army and Air National Guard, both active and retired; who strongly support the contents and intent of House Concurrent Resolution No. 5011 to provide lifetime health care benefits for military retirees and their families.

It is only fitting that this testimony be given on President's Day which honors two other former National Guard Members from days past; Colonel George Washington of Virginia and Captain Abraham Lincoln of Illinois. We pray that the subject resolution will culminate in the signature of the current President of the United States, George W. Bush, himself a former Guardsman, on a law that will finally and forever give the retired military veterans of Kansas and the United States the health care that they have long been promised, but not provided.

At the enlistment of any soldier, airman, sailor or marine, he or she signs a formal contract with our government promising to defend and uphold the constitution of the United States against all enemies, foreign and domestic. That he will bear true faith and allegiance to the same. At the signing, there is always an informal contract that our government makes with the individual. One of those promises was to provide health care for he or she and their family for serving the military until retirement, thus maximizing the tenure, experience and contribution to our National Security of that individual. Unfortunately, this part of the contractual agreement is not being upheld.

Servicemen and Women with over twenty years of service, upon reaching the age of 65, are thrown into a pool of dependents with all others, whom have made no lifetime commitment to their State and Nation and did not have to be ready to go into harms way to protect our freedom. They are being treated like any other citizen who signed no contract, swore to no oath and were never expected to be willing to sacrifice their health and life if need be for our country's most important attributes; freedom and democracy.

Now is the time to right that wrong. To treat our retired military members with the care and treatment they were promised and made willing sacrifice for. The 106th Congress passed legislation, which enacted "TriCare for Life". That was a step in the right direction. Now it needs to be fully funded with budgeted assets that are fenced for that purpose. Funding should not come from discretionary sources, where it will most assuredly fall to research, development and procurement of new weaponry, bases or posts. It must be fenced and guaranteed renewable at each successive defense budget in order to guarantee the rightful health care provisions for our military retirees. Currently, officials who speak to this new law warn that retirees should not give up any supplemental insurance or programs they currently have until we "see what happens" in congress on funding for TriCare for Life. That hardly sounds like a solid program.

Your resolution, number 5011 is certainly a correct and timely step in assuring lasting health care for our retired military members. We pray for its passage through unanimous support and successful effect on the United States Congress and the President of the United States. Thank you for your work and support of our military retirees.

Respectfully submitted,

Malen E. Dowse
Col (Ret) KSARNG
Executive Director

House Tourism Committee
February 19, 2001
Attachment 5