

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on February 14, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Ken Wilke, Revisor of Statutes Office
Connie Burns, Committee Assistant

Conferees appearing before the committee:

Senator Goodwin
Christian Kramer
Chuck Yunker, American Legions
Dr. Lea Steele
Darrell Bencken, VFW
Major General Tod Bunting, Kansas Adjutant General
Harriet Lange, KS Assoc. Of Broadcasters

Others attending:

See attached list.

Senator Vratil requested a bill introduction that concerns the State Bank Commissioner, relating to the office of administrative hearings.

Senator Vratil moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Staff provided an overview on **SB 276** and **SB 277** that deals with Veterans' Affairs.

SB 276 - Kansas veterans health program.

Chairman Brungardt opened the hearing on **SB 276**.

A Fiscal Note was provided. (Attachment 1)

Senator Greta Goodwin provided testimony for George Webb, the Executive Director, Kansas Commission on Veterans' Affairs, in favor of the bill. (Attachment 2) This bill seeks to amend earlier statutes regarding the Persian Gulf War Veterans' Health Initiative (PGWVHI). The Kansas Commission on Veterans' Affairs stands in support of changing the direction of the initiative in order to be more in line with current operations. The Legislature began this program and its intent was to take a hard look at the veterans of the 1990 - 1991 Persian Gulf War and examine the affliction of some which became known as Gulf War Illness (GWI). Using Kansas veterans in a detailed study, this program concluded that participation in the Gulf War manifested significantly higher incidents of GWI. Following the study, SGF for the program dwindled, and by SY 2004, there were no funds in the program, despite the existence of a board and no sunset clause to the initiative; the absence of funding meant that the board could not meet; with additional appropriations, the board is again meeting regularly. Due to the nature of the current war, troops are experiencing many more mental health problems, especially PTSD, traumatic brain injuries; and amputations.

The board felt that addressing these new problems was important, but the original charter of the PGWVHI was problematic; the earlier statute was not clear about an end date of the conflict, because the statute preceded the ongoing war, the makeup of the board, especially the medical/technical members, was geared to GWI and not current injuries, and even the name left in question the mission of the board.

Christian Kramer provided the testimony for James Bunker, a proponent of the bill. (Attachment 3) Ten years ago Mr Bunker was a member of and Chairman to the Gulf War Health Board until by statute he

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could no longer serve; since that time he has attended all the meetings and has helped with advice. The board was charged with keeping the Kansas Veterans informed and updated on the status of the study, and in doing this, there is still a lot to do in providing information and support to returning veterans.

Charles Yunker, The American Legion, appeared as an opponent to the bill. (Attachment 4) The American Legion was a proponent of the program, and the program served its purpose; but like many federal programs it refuses to go away. The KCVA should be searching for veterans in need and assisting them in filing with the VA to obtain the federal benefits to which they are entitled, not building a bureaucracy.

Dr. Lea Steele provided the committee with information on the Kansas Persian Gulf War Veterans' Health Initiative Act. (Attachment 5) Dr. Steele is an epidemiologist and the Scientific Director of a federal committee that advises the Secretary of Veterans' Affairs on research matters relating to the difficult health problems resulting from the 1991 Gulf War. In 1997 the Kansas legislature took the bold and unprecedented step of providing state funds for a program to investigate and assist with what was then called Gulf War Syndrome to find out if it was real and if it was a problem for Kansas veterans. The program sponsored a scientific study that ultimately determined not only that there was a problem, but also what the problem looked like, how many people had it, and some of its biological causes. Dr. Steele has not been formally affiliated with KCVA or the state program since 2001, but has continued to work with KCVA and Kansas Gulf War veterans as questions and issues arise.

Dr. Steele commented on two points; first, the proposed changes and activities are extremely worthwhile, and that with certainly the main problems affecting today's returning veterans are quite different from the main issues for 1991 Gulf War veterans; that federal resources are overwhelmed and that Kansas veterans coming back from Iraq and Afghanistan are often not aware of or not able to access the services they need and the benefits they are entitled to. A large number of Gulf War veteran in 1991 returned with a mysterious illnesses; today we have a large number of returning veterans who have survived explosions and attacks that would have killed veterans of earlier wars; veterans who are now living with severe injuries and emotional trauma that require support services and access to government programs and benefits. The Kansas Gulf War Board's interest in providing outreach, information, and assistance to these veterans is well-founded and laudatory. Second, the initial Kansas Gulf War program was successful due to the legislature providing funds for a staff person to take it on and get it done. The recommended changes to the statute do require SGF, but the benefits are improving support services and information for Kansas who have served in war.

The committee asked how does the legislature know that returning veterans have improved and benefitted from this program; is there a list of veterans who have participated?

Wayne Bolling, Department of Pensions, explained to the committee that he oversees 14 field offices, and that there is a problem, reaching veterans, due to lack of staff and a proposal by the Governor that shifts that money out of Veterans' Services.

Chairman Brungardt closed the hearing on **SB 276**.

SB 277 - Veterans programs; eligibility for

Chairman Brungardt opened the hearing on **SB 277**.

Christian Kramer provided the testimony for James Bunker, a proponent of the bill. (Attachment 6) This bill will eliminate some of the limitations on the Veterans' Claim Assistance Program Advisory Board; the bill was written to limit to two veterans' associations and would like to open it up to other groups.

Darrell Bencken, Kansas Veterans of Foreign Wars, (KVFW) appeared in opposition to the bill (Attachment 7) This bill was written by one or two individuals, not to improve service to veterans, but to disrupt a program that is assisting veterans at record rates. The KVFW would ask that the committee oppose this bill and support HB 2210, a progressive bill that makes the minor tweaks needed to guarantee success of the Grant Program.

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Charles Yunker, The American Legion, spoke in opposition to the bill. ([Attachment 8](#)) The American Legion is opposed to the bill because it radically changes the Grant Program approved during the 2006 legislative session; therefore, the program hasn't even had a year to prove itself or to identify any problems that need to be corrected.

Chairman Brungardt closed the hearing on **SB 277**.

HB 2152 - Commission on emergency planning and response; new members.

Chairman Brungardt opened the hearing on **HB 2152**.

Major General Tod Bunting, The Adjutant General of Kansas, and the Director of Homeland Security for Kansas, appeared in support of the bill. ([Attachment 9](#)) The bill would allow for the expansion of membership to the Commission on Emergency Planning and Response that is known as the CEPR. This commission has broad powers and responsibilities and believes that a broader representation of government agencies and private sector areas should be on the Commission to assist in meeting those responsibilities. The Board would go from seven to eighteen.

The Fiscal Note was provided. ([Attachment 10](#))

Harriet Lange, President, Kansas Association of Broadcasters, appeared in favor of the bill, with an amendment. ([Attachment 11](#)) The KAB is proactive in addressing public interest obligation to service our local communities during and after a disaster; it is indicative of broadcasters' commitment to improving emergency communication which we believe ultimately will save lives. The amendment which would specify that one of the three individuals representing business and industry on the Commission, be an individual from the broadcast industry. This would not increase the number of people on the commission beyond what the bill already calls for.

Conrad Olson, President, NE Kansas Regional EMS Council ([Attachment 12](#)), and Jennifer Schwartz, Executive Director, Kansas Association of Center for Independent Living, ([Attachment 13](#)) provided written testimony in support of the bill.

Chairman Brungardt closed the hearing on **HB 2152**.

Senator Barnett moved to adopt the amendment and to pass the **HB 2152** out favorably as amended. Senator Lynn seconded the motion. The motion carried.

The meeting was adjourned at 11:50 am. The next scheduled meeting is February 15, 2007.