

MINUTES OF THE HOUSE TRANSPORTATION AND PUBLIC SAFETY BUDGET  
COMMITTEE

The meeting was called to order by Chairman Lee Tafanelli at 1:30 P.M. on March 12, 2007 in Room 527-S of the Capitol.

All members were present.

## Committee staff present:

Amy VanHouse, Kansas Legislative Research Department  
Duston Slinkard, Office of the Revisor of Statutes  
Gina Bowes, Committee Secretary

## Conferees appearing before the committee:

Representative Pat George  
Representative Rocky Fund  
Major General Tod Bunting  
Amy Rose Herrick, Investment Adviser Representative, Woodbury Financial Services

## Others attending:

See attached list.

- Attachment 1 Overview of **HB 2421**
- Attachment 2 Testimony on **HB 2421** by Representative Pat George
- Attachment 3 Testimony on **HB 2421** by Representative Rocky Fund
- Attachment 4 Testimony on **HB 2421** by Major General Tod Bunting, Adjutant General of Kansas
- Attachment 5 Testimony on **HB 2421** by Amy Rose Herrick, Chartered Financial Consultant, Woodbury Financial Services

**Hearing on HB 2421 - Kansas army and air national guard, death benefits.**

Amy VanHouse, Legislative Research Department, explained that **HB 2421** provides an aggregate death benefit in the amount of \$250,000 to the beneficiary or beneficiaries of each member of the Kansas National Guard who, on or after September 1, 2005, dies as a result of federal active duty in a combat area in the line of duty. This benefit would not apply to a member who dies as a result of committing suicide. The bill states that the benefit would be paid from the State Emergency Fund (Attachment 1).

Chair Tafanelli recognized Representative Pat George, who presented testimony in support of **HB 2421** (Attachment 2). Representative George commented that by passage of this bill we would show support and appreciation to those families of fallen soldiers who sacrificed their lives for our freedom. Representative George stood for questions.

The Chair recognized Representative Rocky Fund, who presented testimony in support of **HB 2421** (Attachment 3). Representative Fund referenced legislation to award a \$250,000 death benefit to three National Guard members who were killed in action before September 1, 2005. This amount and the amount approved by the federal government totaled \$750,000. Representative Fund spoke to the possibility of providing a life insurance policy to supplement the federal policy, and to be in effect while members on active duty were in a combat area, to ensure future beneficiaries of service members \$750,000. Representative Fund noted that, to his knowledge, no insurance companies are willing to insure service members while in a combat area. Representative Fund stood for questions.

The Chair recognized General Tod Bunting, Adjutant General, who presented testimony in support of **HB 2421** (Attachment 4). Major General Bunting cited, that as a result of the legislative action providing the \$250,000 death benefit paid to three National Guard members, the legislature voted to provide insurance payments for National Guard personnel to ensure every service member receive the same level of insurance whether they purchased the insurance plan or not. The insurance premiums were in place of the \$250,000 state death benefit previously legislated. General Bunting noted the law change resulted in an inequity among the soldiers' families who received the state benefit prior to 2006. The benefits of the

fallen soldiers' family received only the insurance premium minus the \$250,000 in state benefits. Major General Bunting stated in 2006 four Kansas soldiers were killed in action following the change in law. Major General Bunting stood for questions.

The Chair introduced Representative Otto who was in attendance in Committee and recognized him as an individual who requested legislation on this bill. Representative Otto stated he requested legislation specifically for National Guard soldiers due to the fact that they are civilian soldiers with families.

Chair Tafanelli asked if there were any other proponents of **HB 2421**.

The Chair recognized Amy Rose Herrick who presented unscheduled testimony in support of **HB 2421**. Ms. Herrick stated she came to testify as a taxpayer and as someone who has worked in the investment insurance industry for over 16 years. Ms. Herrick proposed to shift the financial risks away from Kansas taxpayers by securing individual life insurance policies in the event of death from combat action. Chair Tafanelli asked Ms. Herrick, for the record, as to whether she was a proponent, neutral or opponent of **HB 2421**. Ms. Herrick stated she was a proponent of the bill. Representative Holmes asked Ms. Herrick to supply written testimony to the Committee. Ms. Herrick provided written testimony on March 13, 2007, to Representative Tafanelli's office and testimony was distributed to Committee members and staff on the same day (Attachment 5). Ms. Herrick stood for questions.

Committee discussion ensued regarding a feasible solution toward finding equality in death benefits to affected families of Kansas National Guardsmen.

Chair Tafanelli addressed the intent of **HB 2421** which is to provide an additional death benefit to those families who have sacrificed on behalf of the State and the Nation. Additionally, this legislation would give back the death benefit that was legislated prior to September 1, 2005. Thirdly, the intent of this bill does not preclude finding an insurance carrier with an affordable mechanism to defer a catastrophic risk. The Chair also stated the Adjutant General testified in this Committee when their budget was heard that there were funds recommended by the Governor to look at the possibility of finding affordable insurance for the Kansas National Guard; in the interim, the issue needs to be dealt with until a viable insurance carrier can be found.

**The hearing on HB 2421 was closed.**

The meeting was adjourned at 2:15 p.m. The next meeting of the Committee will be held on call of the Chair.