

Approved: Feb. 16, 2011  
Date

MINUTES OF THE HOUSE COMMITTEE ON VETERANS, MILITARY AND HOMELAND  
SECURITY

The meeting was called to order by Representative Mario Goico, Chairman, at 9:00 a.m. on February 8, 2011 in Room 546-S of the Capitol.

All members were present except:  
Representative Holmes - excused

Committee staff present:  
Julian Efird, Legislative Research  
Dennis Hodgins, Legislative Research  
Doug Taylor, Revisor  
Ann Deitcher, Committee Assistant

Conferees appearing before the Committee:  
Ken Stodgell, State Adjutant/quartermaster, VFW  
Pam Scott, Executive Director, Kansas Funeral Directors Association  
Martin Dempsey, State Liaison, Western Region  
Dept. of Defense State Liaison Office

**HB 2060 – Kansas' right to control disposition of a decedent's remains statute.**

Chairman Goico called on Ken Stodgell who briefly explained his role with the Veterans of Foreign Wars, (VFW). No written testimony was provided.

Next on the agenda was Pam Scott who explained **HB 2060**, saying that this statute has provided clear and orderly direction on who can make the decision as to who has the right to control disposition of a decedent's remains. (Attachment 1).

Ms Scott said that the amendments proposed in **HB 2060** would change the order of priority which has worked well, by placing at the top of the priority list, the person authorized to direct disposition pursuant to DD Form 93 if the decedent died while in military service.

Saying that the statute has provided clear and orderly direction on who can make those decisions, Ms Scott explained that this was important when you were dealing with a wide array of family dynamics. The amendments proposed in **HB 2060** change that order of priority which has worked well. It would change the order of priority by placing, at the top of the priority list, the person authorized to direct disposition pursuant to DD Form 93 if the decedent died while in military service.

Ms Scott said that the Kansas Funeral Directors Association (KFDA) believes that person should continue to hold the utmost authority to make such decisions since they have taken steps to appoint an agent to make such decisions.

Questions and answers followed.

The Chair then introduced Martin Dempsey who told the Committee that one of his organization's top priority issues was Disposition of Remains. (Attachment 2).

Mr. Dempsey said that their request was simply to recognize in state statute the approach that service members are directed to follow in designating a person to direct the disposition of their remains (what they call a PADD).

Saying that the DD Form 93 was an essential part of their military record, it also designates their beneficiaries for service members' Goup Life Insurance, and service members are required to update it annually and before any deployment.

Mr. Dempsey said that their request would ensure that the DD Form 93 was consulted and viewed as the legally sufficient document for designating a PADD.

Questions and answers followed.

Written only testimony was submitted by John Armbrust, Executive Director of the Governor's Military Council.

Speaking in support of **HB 2060**, Mr. Armbrust said that in June 2010, the Council held meetings with the Department of Defense officials in Washington, D.C. to discuss possible ways the State of Kansas could further its efforts to become a more military friendly state. One of the suggestions given during our meeting was to comport state laws with Department of Defense rules on disposal of remains to recognizing DD Form 93 in K.S.A. 65-1734.

He said they believed **HB 2060** met the intent of Department of Defense's suggested actions and thereby urged the Committee's support of the bill.

The meeting on **HB 2060** was closed.

The meeting was adjourned at 9:35. The next meeting is scheduled for Thursday, February 10, 2011 at 9:00 a.m.