

**HOUSE BILL 2077 TESTIMONY**  
**Senate Federal and State Affairs**  
**By Charles M. Yunker, Adjutant**  
**The American Legion Department of Kansas**  
**March 7, 2013**

Thank you for granting me the opportunity this morning to testify on behalf of House Bill 2077. My name is Charles Yunker and I am the Adjutant for the Kansas American Legion.

When The American Legion presented testimony before the House Committee on Veterans, Military and Homeland Security in favor of House Bill 2077 we suggested the Committee consider an amendment on page one, line 22 item (c) which provided for each licensing body to adopt rules and regulation for implementation. We asked the Committee to consider adding a statement which indicates those rules and regulations cannot exceed today's standards except in cases where those standards are being modified across the board for veteran and non-veteran alike. We also asked the Committee to consider including language which reminds all state agencies that veterans' preference is to be considered at all times when hiring new state employees.

Other than those suggested changes The American Legion was pleased to support HB 2077 because the unemployment rate among veterans between the ages of 18 and 35 in Kansas is still in the double digits. We felt HB 2077 in its original form was a tool the Legislature could implement in order to assist our state's youngest veterans when they return to civilian life.

Likewise those active duty personnel stationed in Kansas would be more likely to move their families to Kansas if spouses were able to find employment. It's simple, the more active duty families we can attract to Kansas, the more our state benefits economically. Further, HB 2077 in its original format would

increase the number of skilled, licensed workers in Kansas which has the potential to attract more business and industry to our state.

However The American Legion is concerned with at least one amendment made to HB 2077 in that we feel the House Committee inadvertently created a new category of veteran in the Bill's present form. That is; lines 8 and 9 of page one were amended from "under conditions other than dishonorable" to "with an honorable discharge" and later, in lines 35 and 36 the addition of the term "service under honorable conditions (general) discharge." has created a new, third category of veteran.

By that I mean it has always been accepted there are two types of discharged veterans: those who serve honorably and those who did not. Those who do not serve honorably receive Dishonorable or Bad Conduct discharges and by and large those individuals are not entitled to veterans benefits. Veterans who serve honorably receive Honorable, General under Honorable Conditions and Medical discharges and are entitled to veterans benefits. While the reason for Honorable and Medical discharges are apparent, the fulfillment of contractual enlistments and injuries which prevent future military service, the reasons for General under Honorable Conditions can vary. Today the reasons for General Discharges can range from simple draw downs in various military units to the service person failing to meet the military's height and weight guidelines which often vary from one command to the other and from one branch of the military to another. Unfortunately they have also been misused for the convenience of the government.

It must be remembered those veterans who receive General Discharges under Honorable Conditions served honorably. They deserve the same treatment as those who receive Honorable Discharges and should not be singled out as anything less than anyone else who volunteered to serve their country and did so in an honorable manner.

The American Legion believes HB 2077 is not only a veteran friendly bill; it is also an active duty military family friendly bill which has huge potential on many fronts. We urge your support of HB 2077 both in this Committee and on the Senate Floor. At the same time we implore you to even the playing field for all who served honorably by including those who have received Medical and General under Honorable Conditions discharges by amending lines 7 through 9 of page one to read “Applicant” means a person who entered into military service and separated from such military service upon completion of honorable service including general under honorable conditions or whose honorable military service was terminated for medical reasons;”. We also urge the elimination of any reference which establishes a difference between Honorable, General under Honorable Conditions and Medical discharges. Page 1 lines 32-36; page 2 line 14; and page 4 lines 7-12.