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SUBJECT: Removal of the word Kentucky from KRS 40.315

Pursuant to KRS 40.315, the Department of Veterans' Affairs shall establish and maintain state veterans' cemeteries in the Commonwealth for the purpose of providing for the interment of **Kentucky** veterans of the United States Armed Forces and for their next of kin, as determined by the department. (2) The Kentucky state veterans' cemeteries shall be under the administrative authority and control of the Department of Veterans' Affairs. The Department of Veterans' Affairs may promulgate administrative regulations necessary to operate the cemeteries in compliance with applicable state and federal statutes and regulations. (3) The Department of Veterans' Affairs is authorized to seek federal and private funding for the construction, renovation, and operation of Kentucky state veterans' cemeteries.

KRS 40.315 addresses how KDVA, and the Division of State Veteran Cemeteries (SVC) determines whom we may inter in our 5 state veteran cemeteries. The highlighted word (in Red) means that Kentucky has a residency requirement, which means born in KY, lived in KY, stationed in KY, joined military in KY, Worked in KY, and or owned property in KY.

The United States Department of Veterans Affairs (USDVA) has placed a mandate in its Memorandum of Understanding (MOU), for acceptance of federal grants for expansion of state-funded veteran cemeteries.

- **State Residency Requirement for Interment - the Memorandum of Agreement (MOA) stipulates the State must eliminate by January 1, 2025, any residency requirement for interment; confirm State is able to sign the MOA**

The National Cemetery Administration (NCA) has added the above section to all MOUs for all grants under the Veteran Cemetery Grants Program (VCGP). This basically means "if any state has a residency requirement for interments into a State Veteran Cemetery

(SVC) and has been receiving grant money from the Veterans Cemeteries Grants Program (VCGP) they will no longer be eligible for future grants from VCGP and the NCA”.

Removing the word “Kentucky” from KRS 40.315, it will bring KDVA and Commonwealth of Kentucky in line with the NCA, VCGP, and the USDVA when it comes to burring any veteran in any state and or national cemetery.

All 5 of Kentucky state veterans cemeteries are within 40 miles of the state line. There are a lot of veterans that live across the state line that want to be buried in our SVC. Most all of these veterans have at one time lived, worked, owned property, or joined the military in Kentucky. Thus, these veterans are eligible for interment into one of our 5 State Veteran Cemeteries. There is that small amount that our residency requirement is stopping from being eligible for interment in Kentucky. In the past 18 years of KDVA’s first cemetery opening this residency requirement has probably stopped 25 veterans from being interred into one of our five state cemeteries. The thought of removing the word “Kentucky” from the KRS WILL NOT open the flood gates to out of state veterans being buried in our cemeteries.

The failure to remove the word “Kentucky” form KRS 40.315 will stop KDVA from receiving any future grants for our Cemeteries.

- In 2002, KDVA received a 100% fully funded grant from VCGP of \$6 million to build KVCW.
- In 2006, KDVA received a 100% fully funded from VCGP of \$7.5 million to build KVCC.
- In 2007, KDVA received a 100% fully funded grant from VCGP of \$8 million to build KVCN.
- In 2009, KDVA received a 100% fully funded grant from VCGP of \$6 million to build KVCNE.
- In 2016, KDVA received a 100% fully funded grant from VCGP of \$6 million to build KVCSE.
- In 2018, KDVA received a 100% fully funded expansion grant from VCGP of \$3.2 million to expand KVCC
- In 2018, KDVA received a 100% fully funded expansion grant from VCGP of \$1.5 million to expand KVCW,
- This past month, KDVA just received a 100% fully funded expansion grant of \$2.5 million to continue the expansion at KVCW
- In total since 2002, the Commonwealth of Kentucky and **KDVA has received \$40.7 million, from the USDVA and the VCGP, 100% full funded with no matching funds from the state.**

Over the next 2-7 years, the KDVA and our five state veterans' cemeteries will need expansions at all five cemeteries. All of these grants would be 100% fully funded from the NCA and the VCGP, with no requirement of matching funds from the state. These grants would be in upwards of \$10 - \$20 million. If we don't act and have the word "Kentucky" removed from KRS 40.315, the state of Kentucky would be required to pay all of that \$10 - \$20 million with no help from the USDVA, NCA and VCGP.

In closing, the Kentucky Department of Veterans Affairs and the State Veterans Cemeteries Division shall provide interments and perpetual care for qualified veterans and eligible family members in a dignified and compassionate manner, worthy of respect and honor that our American heroes have earned with their selfless service to our great nation.