INTERIM JOINT COMMITTEE ON VETERANS, MILITARY AFFAIRS, AND PUBLIC PROTECTION

Minutes of the 6th Meeting of the 2020 Interim

November 19, 2020

Call to Order and Roll Call

The 6th meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Thursday, November 19, 2020, at 10:00 AM, in Room 171 of the Capitol Annex. Senator C.B. Embry Jr., Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator C.B. Embry Jr., Co-Chair Designate; Representative Walker Thomas, Co-Chair; Senators Karen Berg, C.B. Embry Jr., Denise Harper Angel, Jimmy Higdon, Dennis Parrett, Wil Schroder, Brandon Smith, Whitney Westerfield, Mike Wilson, and Max Wise; Representatives John Blanton, Myron Dossett, Jim DuPlessis, Chris Fugate, Al Gentry, Mark Hart, Samara Heavrin, Kathy Hinkle, Matthew Koch, Scott Lewis, C. Ed Massey, Patti Minter, Dean Schamore, Attica Scott, Buddy Wheatley, and Lisa Willner.

Guests: Edwin Vincent, Chairman, Joint Executive Council of Veterans Organizations; Larry Arnett, Legislative Officer, Joint Executive Council of Veterans Organizations; Brigadier General (Ret.) Steve Bullard, Executive Director, Kentucky Commission on Military Affairs; Brigadier General (Ret.) Benjamin Adams, Executive Director, Kentucky Department of Military Affairs; Keith Jackson, Commissioner, Kentucky Department of Veterans Affairs; Executive Director Mark Bowman, Kentucky Department of Veterans Affairs.

LRC Staff: Jessica Zeh, Andrew Salman, and Kelsey Lockhart

After roll call was taken, Co-chair Designate Embry introduced newly elected Representative Scott Sharp from the 100th District.

Approval of October Minutes

Representative Lewis moved to approve the October minutes. The motion was seconded by Representative Hart and the minutes were approved.

Resolution

A retirement resolution honoring Senator Robinson for his years of dedication in the General Assembly was presented. Representative Lewis moved to adopt the Resolution. Representative Blanton seconded the motion. The resolution was adopted.

Joint Executive Council of Veterans Organizations

Edwin Vincent, Chairman of the Joint Executive Council of Veterans Organizations (JECVO) testified that he is a retired Air Force veteran and the Senior Vice Commander for the Department of Kentucky Veterans of Foreign Wars (VFW). He will assume command of the organization in 2021 and work towards making Kentucky the most veteran-friendly state.

Larry Arnett, Legislative Officer of JECVO, testified that this committee has supported Kentucky veterans well over the last 30 years. It is because of this support that JECVO was able to establish four veteran nursing homes, five veteran cemeteries, a Vietnam Veteran bonus, and provide support for veterans' services. JECVO stated their top priority for the 2021 legislative session is strong support of the Kentucky Department of Veterans Affairs (KDVA) budget.

JECVO testified that its second legislative priority is to create a property tax exemption for Veteran Service Organizations (VSO) that are wholly dedicated to advocating on behalf of military veterans. To qualify for this exemption, over fifty percent of the VSO annual net income must be expended on behalf of military veterans and other charitable causes. This includes VFW, Vietnam Veterans of America, AMVETS, the American Legion, Disabled American Veterans, Paralyzed Veterans of America, and Marine Corps League Detachment 729. Representative Koch prefiled BR 153 to address this issue and stated that the committee is familiar with the legislation as similar legislation was filed in the last two regular sessions with unanimous support, however it was not able to progress due to the uncertainty of the revenue stream.

Mr. Arnett stated that 31 states already exempt VSO properties from taxation, four of which are contiguous to Kentucky. Kentucky has 304 VSO posts, with at least one in every county. He approximated a $25,000 loss of revenue from state taxes and $275,000 loss of revenue for cities and counties. Despite the significant loss of revenue, BR 153 has support from the Kentucky Association of Counties and the League of Kentucky Cities because the charitable contributions and civic involvement they receive from VSO posts exceeds the loss.

In response to a question from Representative DuPlessis, Mr. Arnett stated that there is a meeting scheduled in December to discuss increasing the number of legislative priorities for JECVO and would consider adding military retirement income tax reduction to their legislative priorities.

Kentucky Commission on Military Affairs

Brigadier General (Ret.) Steve Bullard, Executive Director of the Kentucky Commission on Military Affairs (KCMA), testified that they exist to maximize the state's potential as it relates to the Department of Defense (DOD). The key goals they hope to accomplish are: to protect and grow DOD installations and activities; expand the economic impact of Kentucky's defense-related industry; develop and implement the model for transitioning service members, veterans, and their spouses; establish Kentucky as the most military friendly state and grow the veterans and retiree population; and to communicate strategically and gain advocacy.

To achieve these goals maintaining a positive relationship with defense contractors such as Humana, Lockheed Martin, and Raytheon is critical. Kentucky ranks thirteenth in the nation in the amount of contract spending, fourteenth in the nation in defense spending, and on average allocates $2.8 billion for personnel salaries.

Brigadier General (Ret.) Bullard testified there were many accomplishments in 2020 for KCMA: it established the new V Corps Headquarters at Fort Knox; applied for U.S. Space Command Headquarters; obtained a two-million DOD grant; and assisted with Constituent Services on the Governor's COVID-19 Hotline for five months.

The KCMA presented its legislative priorities which included strong support for KDMA's budget and expressed its support of BR 153. Additional legislative goals include occupational licensing reciprocity, adding military personnel and families to driver's license exemption, authorization and funding for Bluegrass Station airfield, establishment of Uniform Deployed Parents Custody and Visitation Act, inclusion of the Armed Services Vocational Aptitude Battery (ASVAB) test in schools, prohibition of "Patriot Penalty" for deployed personnel, and consideration of full military retirement income tax reduction.

Kentucky Department of Military Affairs

Brigadier General (Ret.) Benjamin Adams, Executive Director of the Kentucky Department of Military Affairs (KDMA) presented the legislative goals for the 2021 legislative session: move the Kentucky Community Crisis Response Board (KCCRB) under the Military Affairs' Division of Emergency Management; establish the Uniform Deployed Parents Custody and Visitation Act and Kentucky National Guard Adoption Assistance Program; implement the ASVAB test in schools; change the Kentucky Educational Excellence Scholarship (KEES) base amount for military transfer students; pass the state-sponsored group life insurance program for Kentucky National Guard (KYNG) members; and prohibit motor vehicle insurance from penalizing deployed service members.

The KDMA also expressed support for coordinating efforts working towards the Bluegrass Station Industrial Airport and BR 241 to encourage veterans to come to Kentucky. Thanks to the efforts of the KDMA and KYNG, over $84 million has been spent purchasing PPE and testing to assist with COVID-19 relief across the state.

In response to a question from Representative Koch, Brigadier General (Ret.) Adams thanks the committee for its support for Bluegrass Station Industrial Airport.

In response to a question from Senator Higdon, Brigadier General (Ret.) Adams responded that Bluegrass Station is indeed an incredible place and KDMA would like to have the committee members tour the facility and discuss its future.

Kentucky Department of Veterans Affairs

Keith Jackson, Commissioner of the Kentucky Department of Veterans Affairs (KDVA), testified that through July, KDVA successfully avoided any COVID-19 outbreaks in its four State Veterans Homes. All four have followed recommendations from the Center for Disease Control for the duration of the pandemic, with daily screenings for residents and employees. In-person visitation was greatly restricted and virtual options were encouraged with their families. Staffing remained relatively stable throughout the pandemic. The number of VA claims presented each month decreased by two thirds its regular amount due to many people working from home to reduce on-site staffing. The federal government provided KDVA with $2,910,955 from the Cares Act Provider Relief Fund, and KDVA has used $1,480,400 thus far, which helped alleviate financial stress from the pandemic. KDVA only hired personnel that assisted its COVID-19 response and stopped overtime unless it directly related to a COVID-19 issue.

The KDVA presented its legislative priorities: amend existing sections of KRS Chapter 40 to create more effective management of the KDVA; amend KRS 164.507 and 164.515 to more closely align Kentucky's education benefits with the U.S. Department of Veterans Affairs; create a new section of KRS Chapter 40 to establish a Veteran Suicide Prevention Program within the KDVA; and create a new section of KRS Chapter 2 to designate June 12 as Women Veterans' Appreciation Day in the Commonwealth.

In response to a question from Representative Minter, Commissioner Jackson stated that KDVA visited several potential sites in Bowling Green last month that were presented by the Chamber of Commerce and are discussing the final location for the Bowling Green Veterans Home. Executive Director Mark Bowman stated that they are reviewing the second site that has been presented, however there is not enough room for the facility. They are asking for more acreage, and if that is not possible KDVA will move onto the next potential site.

Senator Smith commented that there is still a need for a veteran's home in the eastern part of the state, and hopes that KDVA will be able to focus on obtaining a facility near Salyersville in the future as well.

Referred Administrative Regulations

In performing its statutory legislative oversight responsibility, the committee reviewed administrative regulation 017 KAR 001:030 Proposed Nurse Loan Repayment Program upon referral from the Legislative Research Commission under the review process established in KRS Chapter 13A.

There being no further business, the meeting was adjourned at 11:18 AM.