Bill as Introduced

13feb03... 0058h

2003 SESSION

03-0918
09/01

HOUSE BILL ***132***

AN ACT relative to state scholarships for orphans of veterans.

SPONSORS: Rep. Coughlin, Hills 45; Rep. D. Fields, Hills 58

COMMITTEE: State-Federal Relations and Veterans Affairs

AMENDED ANALYSIS

This bill corrects dates for the Korean conflict, establishes dates for the Southeast Asian conflict (Vietnam War), and makes the Persian Gulf conflict and certain service in other military operations eligible for purposes of the award by the postsecondary education commission of college scholarships to orphans of veterans.

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13feb03... 0058h

03-0918
09/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to state scholarships for orphans of veterans.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Scholarships for Orphans of Veterans; Purpose of Appropriations. Amend RSA 193:19 to read as follows:

193:19 Purpose of Appropriations. The sums appropriated under the provisions of this subdivision shall be used for the sole purpose of contributing to the payment of board, room rent, books and supplies, at college grade institutions, of children between the ages of 16 and 25 years, who are legal residents of the state at the time of application, whose fathers or mothers served in the armed services of the United States from April 6, 1917, to July 2, 1921; or from December 7, 1941, to December 31, 1946; or from June [~~25~~] ***27***, 1950, to [~~July 27, 1953~~] ***January 31, 1955***; or from [~~the initiation of American involvement in the Southeast Asian conflict to the final date of American withdrawal from that area~~] ***February 28, 1961 to May 7, 1975; or from August 2, 1990 through a final date of the Gulf War conflict to be prescribed by Presidential proclamation or law; or in any operation not otherwise covered by this section for which the Armed Forces Expeditionary Medal has been awarded to the veteran***, having since died from service connected disability so rated by the federal government and having been at time of death legal residents of the state.

2 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

Date: April 15, 2003
Time: 1:45 PM
Room: SH 105-A

The Senate Committee on Education held a hearing on the following:

HB 132 relative to state scholarships for orphans of veterans.

Members of Committee present: Senator O'Hearn
Senator Foster
Senator Green
Senator Larsen

The Chair, Senator Jane E. O'Hearn, opened the hearing by calling upon the Prime Sponsor, Representative Pamela Coughlin.

Representative Pamela Coughlin, Hills. D. 45: Thank you. For the record, I'm Pamela Coughlin. I represent District 45, which is five towns. It's Mont Vernon, Lyneborough, Wilton and Temple and New Boston.

I'm here today to introduce *relative to state scholarships for orphans of veterans.* This came to the State and Federal Relations Committee and I'm Chairman of that Committee. What I did was I set up a subcommittee and the subcommittee went through with Dennis Viola, who is the State Veterans Council, and they corrected the dates that we have in our RSA 193:19, and then we updated the dates from the federal. What the federal will do is they will update their dates and then we update our state statute. So, that's it in a nutshell. We're not asking for any more money. We're basically asking for what – Mrs. Knapp will be able to tell you specifically how many students there are and what they've gotten in the past. So... the budget crunch was sustained where we are instead of asking for an increase.

Senator Jane E. O'Hearn, D. 12: Questions? Senator Foster?

Senator Joseph A. Foster, D. 13: Which Gulf War are we talking about?

Representative Pamela Coughlin, Hills. D. 45: Pardon me?

Senator Joseph A. Foster, D. 13: Which Gulf War are we talking about?

Judy Knapp, Post Secondary Education Commission: It's never ended.

Representative Pamela Coughlin, Hills. D. 45: It hasn't ended yet.

Senator Richard Green, D. 6: Never ended.

Senator Joseph A. Foster, D. 13: So, we're talking from 1991?

Representative Pamela Coughlin, Hills. D. 45: Right. The federal government has not given it an ending date yet.

Senator Joseph A. Foster, D. 13: So, as far as the federal government is concerned, we've been sort of in a constant conflict from 1991? Okay.

Senator Jane E. O'Hearn, D. 12: Further questions? Just – for instance, on line 8, *it says from June 25th to the 27th*. Do you mean they were off by two days?

Representative Pamela Coughlin, Hills. D. 45: Yes.

Senator Jane E. O'Hearn, D. 12: We have to correct it?

Representative Pamela Coughlin, Hills. D. 45: Correct it, yes.

Senator Jane E. O'Hearn, D. 12: Okay. Thank you. Next, I'd like to call Representative Dennis Fields, in support.

Representative Dennis Fields, Hills. D. 58: Thank you, Madame Chairman and members of the Honorable Committee. I'm in full support of this. As know, I'm a veteran myself and several of us are. I would like to say the Chairman of the Committee – I'm the Clerk of the Committee – by the way, I'm Representative Dennis Fields, Hillsborough District 58. I represent Merrimack and Litchfield now. Sorry, I almost forget about Litchfield because it was never part of us before. So, I have to stop and correct – in fact, I'm wearing my name tag so I can remind myself of that. (laughter)

Well, this bill is really self explanatory and since 1980 and 1983, I was National Deputy Chief with the Veterans of Foreign Wars and on our card that we recruit people for membership, these dates that are done by medals and what service you attended, and that's why it was brought in line and in two days it came. This service that you mentioned, I'm sure the Committee – I was really clear if I heard the Chairman mention to you – Pam Coughlin – that it continues on until such date that it is prescribed by Congress that it ends. I wasn't sure if that's what she said to you but that's when these dates

end and they're done by the Congress. So, basically this bill will just really bring it into line with the federal code, like she mentioned and I just wanted to throw in my support as a so-sponsor but even if I wasn't, I'd probably be here to ask for your support anyway as a veteran. So, thank you.

Senator Jane E. O'Hearn, D. 12: Thank you. Questions?

Senator Joseph A. Foster, D. 13: I'm sorry. I was actually looking at the unamended version and it is much clearer.

Representative Dennis Fields, Hills. D. 58: Yes, we amended it in the Committee because what happened in the Committee and that's why we did it is because some of us weren't sure and we had that card and we brought in line with the proper – what we're supposed to do and this is the proper way to do it. So, we wanted to correct it.

Senator Jane E. O'Hearn, D. 12: Your information comes from the federal government?

Representative Dennis Fields, Hills. D. 58: This is from the federal government and also from our recruiting – from the federal for veterans in whatever conflicts and wars they were in and it goes all the way back from April 6, 1917, course I don't know if there's anybody here but these are dates that go all the way up until, I believe it's '75 until otherwise stated by Congress. I believe what that's what it says here. That's what it's supposed to do for every conflict, like Vietnam War was '60 until '71 or something and whenever them dates end. That's what it does. It's something that's been going on for years, it's just that we're bringing it in – later on and the reason some people did ask why we're not doing other ones right now like maybe Iraq, that will be determined after Congress decides what service medal will be done and we will probably have to come back at some point and say this service medal may be adjusted to that one too at some point. But, like I say, it could be ten years – five years or ten years before that conflict would end and then we might even know what medal or what they're going to do with it. I don't know if that's true but I'm just saying however long that takes, we may have to come back and just do an update on it.

Senator Jane E. O'Hearn, D. 12: Thank you. Further questions? Thank you. Next I'd like to call Judy Knapp, from the Post Secondary Education Commission.

Judy Knapp, Post Secondary Education Commission: Written testimony handed in. ***See Attachment A.*** I'm Judy Knapp, from the Post Secondary

Education Commission and I administer the State financial aid for the Commission.

Essentially, what has been stated before is this is a housekeeping bill. It has been obvious for a number of years that we were remiss in the legislation because we weren't able to give orphans of those people who had served in the Gulf War Conflict any assistance. The bill was to, as we originally ... and then there were other date corrections – Korean War Conflict dates had changed. I'm not sure how they determined the dates had changed but the federal government has.

I also had checked with somebody and I said *what if there's no ending date for the Gulf War Conflict, does that mean that somebody who had served in Bosnia or in Kosovo would be eligible under that rubert* and they said yes.

My understanding is also that with the addition of the words of the expeditionary force that's been put on, that would cover people for instance who might have served in the Granada Conflict or gone into Panama, possibly Lebanon or Beirut but weren't official war conflict situations.

Now, the other thing is the way the statute reads is this is the service man must have been a resident of New Hampshire at the time that they died and have died of a service related disability. The reimbursement only covers books and fees. If the student goes to one of our public institutions, they also get a tuition waiver from that institution; both the two-year and the four-year institutions. But in order to be eligible for that waiver, they must be certified as eligible for this program.

We currently have $9,000 in the budget. They can get a maximum of $1,000. If there are more than nine individuals that qualify under the statute then they get less than $1,000. We've only done that a few times; that we've had to pro rate it. I'd be glad to answer any questions.

Senator Jane E. O'Hearn, D. 12: The money is appropriated every year?

Ms. Knapp: Every two years.

Senator Jane E. O'Hearn, D. 12: Every two years.

Ms. Knapp: In the biennial budget.

Senator Jane E. O'Hearn, D. 12: In the general funds?

Ms. Knapp: In the general funds. We have asked actually for $10,000 this year to have it increased by $1,000 so it could have been back to it's pre-cut levels but..

Senator Richard Green, D. 6: The House budget had it in there?

Ms. Knapp: They had it in at $9,000.

Senator Jane E. O'Hearn, D. 12: And the Governor's budget has it?

Ms. Knapp: Yes.

Senator Jane E. O'Hearn, D. 12: Further questions? Isn't orphan...

Ms. Knapp: They're not really orphans. I mean, they could have still a mother alive or a father alive if the mother was the one who had died. It's come up before as to why do we have – it used to say *World War I, World War II.* Why do we have those conflicts in there? Because the student must be no older than 26 and there has to be no one left and I always pointed out Strom Thurman. As long as – you didn't have to die in the conflict, so you could have children that were still eligible, although, I don't think we have anyone from World War II. We do have Vietnam Era Conflict students right now.

Senator Jane E. O'Hearn, D. 12: Is there a limit on age?

Ms. Knapp: Yes. You cannot – up until 26.

Senator Jane E. O'Hearn, D. 12: Sixteen to 25. Further questions? Thank you, Judy. Anyone else here to speak on House Bill 132? I'll close the hearing on House Bill 132.

HEARING ON HOUSE BILL 132 CLOSED AT 1:55 PM.

Respectfully submitted,

Merideth Ann Chandler,
Senate Secretary
05/20/03

Attachments: 1

Attachment A

STATE OF NEW HAMPSHIRE POSTSECONDARY EDUCATION COMMISSION

Closed College Transcripts | Degree-Granting Approvals | Financial Aid | Research/Studies | Veterans State Approvals | Vocational School Licensing

Testimony on HB 132
April 16, 2003
by
Judith A. Knapp, Student Financial Assistance Coordinator

This bill would establish the dates for the Southeast Asian conflict, AKA, the Vietnam War, correct the dates of the Korean War and make Gulf War and eligible conflict for purposes of awarding aid to orphans of veterans. In addition, the orphan of a veteran who has received the Armed Forces Expeditionary award would be eligible. At the present time the Congress has not set an ending date for the Gulf War and, as a result, anyone who has served since 1990 is covered under this designation. In the past, aid has only been provided for service during a period of a designated conflict as versus a military action or intervention.

This bill was intended to provide educational aid for those students whose parents had been put in harms' way during times of conflict and, as a result of that service to their nation, had received injuries that ultimately led to their death. It was never intended to provide assistance for survivors of members of the armed services who served during times of peace but nevertheless received a service-related disability. With the current level of funding, providing awards to any student whose parent died as the result of a service-related disability, regardless of the period of service, would diminish the size of the award to a point where it no longer provided meaningful assistance.

Students who are eligible under this program, also are eligible, under RSA 193:20, to receive a tuition waiver at any of the University System of New Hampshire or Community Technical College System institutions.

In addition to benefits received under this program, dependents are also eligible to receive assistance under the Dependent's Educational Assistance Program, chapter 35 of Title 38, U.S. Code. For the purpose of federal benefits, there are different rates of compensation depending on whether the death/disability was the result of service in a designated conflict, or as a result of peace-time service.

3 Barrell Court, Suite 300 | Concord NH 03301-8543 | Tel: 603-271-2555 | Fax: 603-271-2696 | Web: www.state.nh.us/postsecondary
TDD Access: Relay NH 1-800-735-2964

Speakers

SENATE EDUCATION COMMITTEE

Date 04/16/03 Time 1:45 PM Public Hearing on **HB 132**

relative to state scholarships for orphans of veterans.

Please check box(es) that apply.

SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
X	☒	☐	Representative Coughlin	Prime Sponsor
☒	☒	☐	Rep. DENNIS H. FIELDS	Co-sponsor
☒	☒	☐	JOY KNAPP	Post. SECONDARY EDUC COMM
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Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: April 18, 2003

THE COMMITTEE ON Education

to which was referred House Bill 132

AN ACT relative to state scholarships for orphans of veterans.

VOTE: 5-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator Jane E. O'Hearn
For the Committee

HB132 Docket

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Bill Title: relative to state scholarships for orphans of veterans.

Date	Body	Description
1/8/2003	**H**	Introduced and ref to St-Fed Rel & Vets Affs; (See Permanent Journal)
1/8/2003	**H**	Copy to Chairman on 1/07/2003
1/8/2003	**H**	Hearing Jan 14 11:00 RM306,LOB
1/14/2003	**H**	Subcom Work Session Jan 21 11:30 RM306,LOB
1/30/2003	**H**	Maj Report OTP/AM for Feb 13 (Vote 13-0;CC)
1/30/2003	**H**	Prop Comm Am{0058}; HC 13, p264-265
2/13/2003	**H**	Passed with Am; HJ 16, p348 + 354
3/13/2003	**S**	Introduced and Ref. to Education; SJ 8, Pg.105
4/11/2003	**S**	Hearing; April 16, 2003, Room 105-A, SH, 1:45 p.m.; SC18
4/18/2003	**S**	Committee Report; Ought to Pass [04/24/03]; SC19
4/24/2003	**S**	Ought to Pass, MA, VV; OT3rdg; SJ 14, Pg.333
4/24/2003	**S**	Passed by 3rd Reading Resolution; SJ 14, Pg.340
4/24/2003	**S**	Enrolled; SJ 14, Pg.348
5/5/2003	**H**	4/17/2003 Enrolled; HJ 40, p1273
5/9/2003	**H**	Signed by the Governor on 5/9/2003 Eff: 7/8/2003 Chap: 0044

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Docket Abbreviations