



SPONSOR: Rep. Chukwuocha & Sen. Brown & Rep. Ramone & Rep. Dorsey Walker & Rep. Bush
Reps. Bolden, Briggs King, K. Johnson, Longhurst, Parker Selby; Sens. Buckson, Gay, Hansen, Hocker, Huxtable, Lawson, Lockman, Mantzavinos, S. McBride, Paradee, Pettyjohn, Pinkney, Poore, Richardson, Sokola, Sturgeon, Townsend, Walsh, Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 218

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 8720, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 8720. Delaware Commission of Veterans' Affairs — Established; composition; powers.

4 (b) The Commission shall be composed of 15 Commissioners all of whom shall be appointed by the Governor for
5 terms of 4 years, and shall be veterans who are residents of the State of Delaware and citizens of the United States.

6 (1) Ten Commissioners shall be representatives of statewide veteran organizations that are chartered by
7 Congress or authorized under federal law. Where a Commissioner represents a veteran organization, that organization
8 must, within 60 days prior to the expiration of a Commissioner's term or within 30 days following a vacancy, submit to
9 the Office of the Governor a letter of recommendation which shall include at least 3 nominees and their application
10 packet. Commissioners who are appointed to represent a statewide veterans organization shall, during the course of
11 their term remain members in good standing of the nominating organization. The following veteran organizations shall
12 be represented on the Commission:

13 a. American Legion.

14 b. American Veterans.

15 c. Air Force Sergeants Associations.

16 d. Disabled American Veterans.

17 e. ~~Korean War Veterans~~ Veterans or National Association of Black Veterans. Until such time as any
18 current Korean War Veterans representative serving as Commissioner as of [the effective date of this Act] has
19 completed a current full term or otherwise resigned the commission, that Commissioner shall retain the
20 appointment and seat on the Commission. At the completion of that term or upon resignation of the Commission,

21 the Korean War Veteran Commissioner seat shall be filled by a representative of the National Association of Black
22 Veterans.

23 f. Marine Corps League.

24 g. Military Officers Association of America.

25 h. Military Order of the Purple Heart.

26 i. Veterans of Foreign Wars.

27 j. Vietnam Veterans of America.

28 (2) Five Commissioners shall be at-large Commissioners, who may also be a member of any veteran
29 organization or may be a veteran who has applied directly to the Office of the Governor.

30 (c) For purposes of this section, a “veteran” is any person who has served ~~honorably~~ on active duty in the U.S.
31 Armed Forces, including the National Guard or the ~~reserves~~reserves, and who was discharged under other than
32 dishonorable conditions.

SYNOPSIS

This Act changes the composition of the Commission and further clarifies the definition of “veterans” as it pertains to this Section of Title 29. The Delaware Commission of Veterans’ Affairs is comprised of members, appointed by the Governor, who represent specific veteran organizations. The United States Congress defines the Korean War Era as June 27, 1950 to January 31, 1955, and today most living Korean War Veterans are in their upper 80s or lower 90s. This amendment will redesignate the seat to an organization that is self-perpetuating and whose membership will continue on, and also serve to provide the diverse representation of all veterans. Also preserved is the ability of the current Korean War Commissioner to remain as a Commissioner until his term expires or that seat otherwise becomes vacant. The sole remaining active Chapter of the Korean War Veterans of America in Delaware is in the process of being disbanded due to lack of membership.

The Office of Veterans Services is staffed by individuals employed by the State, but who have been required, by reference to the definition of “veteran,” to have “served honorably.” Staffing of the OVS, including the veterans’ cemeteries, has been challenging. This amendment clarifies that a veteran, for qualification as a commissioner, must have been discharged under other than dishonorable conditions. This clarification is consistent with federal laws and regulations regarding the definition of “veteran.”