

HOUSE CONCURRENT RESOLUTION NO. 1009

A CONCURRENT RESOLUTION, Urging congressional approval of military retirement pay and veterans' disability compensation.

WHEREAS, Title 38, United States Code, prohibits the concurrent receipt of both military retirement pay for longevity from the Department of Defense and disability compensation from the Department of Veterans Affairs; and

WHEREAS, current retirees and those currently in the military who choose to make the military a career should not be burdened with lifelong financial penalties on top of their service-connected disabilities; and

WHEREAS, veterans retired from military service based on longevity are required to waive from their military retirement pay an amount equal to compensation paid by the Department of Veterans Affairs for service-connected disability; and

WHEREAS, military retirees are the only federal personnel required to do so; and

WHEREAS, the Legislature of the State of South Dakota believes that it is unfair to prohibit military retirees from receiving both retirement pay and disability compensation; and

WHEREAS, all the major veteran service organizations in South Dakota advocate legislation to permit concurrent receipt:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-seventh Legislature of the State of South Dakota, the Senate concurring therein, that the South Dakota Legislature strongly urges and advocates the passing of legislation by the Congress to permit the concurrent receipt of longevity military retirement pay and disability compensation without offset from either department.

Adopted by the House of Representatives,  
Concurred in by the Senate,

January 28, 2002  
January 30, 2002

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Scott Eccarius  
Speaker of the House

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Karen Gerdes  
Chief Clerk of the House

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Carole Hillard  
President of the Senate

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Patricia Adam  
Secretary of the Senate