

HOUSE COMMITTEE ON
VETERANS' AFFAIRS

April 19, 2005 Hearing Room C

8:30 A.M. Tapes 75 - 76

MEMBERS PRESENT: Rep. Donna Nelson, Chair

Rep. Phil Barnhart, Vice-Chair

Rep. Debi Farr, Vice-Chair

Rep. Brian Boquist

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Betty Komp

STAFF PRESENT: Jim Stembridge, Committee Administrator

Erin Seiler, Committee Assistant

MEASURES/ISSUES HEARD:

HJR 34 – Work Session

HB 2425 – Work Session

HB 2602 – Work Session

HB 2739 – Work Session

HB 2878 – Work Session

HB 2138 – Public Hearing

HB 2795 – Work Session

HJM 13 – Public Hearing

HJM 25 – Public Hearing

HJM 17 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 75, A		
001	Chair Nelson	Opens the meeting at 8:43 a.m. Discusses the committees' visits to Roseburg and White City.
064	Jim Stembridge	Committee Administrator. Submits and summarizes Case History Memorandum (EXHIBIT A). Submits National Homeless Veterans' Report on behalf of Jennifer Vina (EXHIBIT B). Submits written testimony of Ronald Estep on Veterans' Issues (EXHIBIT C). Submits and summarizes <i>The Dalles Chronicle</i> newspaper article on Veterans' Issues (EXHIBIT D).
140	Chair Nelson	Opens a work session on HJR 34.
<u>HJR 34 – WORK SESSION</u>		
142	Jim Stembridge	Committee Administrator. Explains HJR 34, which proposes amendment to Oregon Constitution dedicating portion of net proceeds of State Lottery for services for Oregon veterans. Submits and summarizes -5 amendments (EXHIBIT E). Submits -2 amendments (EXHIBIT F).
160	Chair Nelson	Recesses meeting at 8:55 a.m.
194	Chair Nelson	Reconvenes meeting at 8:58 a.m.
196	Rep. Boquist	Summarizes -2 amendments.
226	Rep. Hunt	Clarifies the potential fiscal implications of -2 amendments.

228	Rep. Boquist	Submits and summarizes Fiscal Impact Chart on HJR 34 (EXHIBIT G).
301	Rep. Komp	Asks how much money is expected to be diverted for veterans' services in 2007-09 biennium.
308	Rep. Boquist	States that during Fiscal Year 2007-09 it estimated that the veterans' services will receive \$14.5 million in lottery dollars.
317	Rep. Komp	Asks if a budget estimate has been drafted for County Veterans' Service Officers program.
320	Chair Nelson	States that the budget estimate for the County Veterans' Service Officers was determined based on current veteran population in Oregon.
344	Jim Willis	Director, Oregon Department of Veterans' Affairs (ODVA). Explains what the potential impact will be on the workload of County Veterans' Service Officers when currently deployed soldiers return to Oregon.
360	Chair Nelson	Explains how the budget estimate for the County Veterans' Service Officers program was calculated.
404	Rep. Komp	Verifies that current budget proposal only provides assistance to County Veterans' Service Officers program and does not provide funds for rehabilitation or scholarships.

TAPE 76, A

006	Rep. Barnhart	Questions if the language pertaining to computer services is too "restrictive and does not allow us to spend money" on computer services.
017	Chair Nelson	Explains why money can be spent on computer services.
025	Chair Nelson	Lists the type of services that can be provided using the lottery dollars diverted into the veterans' fund.
050	Rep. Barnhart	Verifies that the "Vet-Net" computer system would be expensed under services, not administration.

- 060 Stembridge Clarifies the impact of each proposed amendment to HJR 34.
- 081 Rep. Boquist **MOTION: Moves to ADOPT HJR 34-5 amendments dated 04/11/05.**
- VOTE: 7-0-0**
- Chair Nelson **Hearing no objection, declares the motion CARRIED.**
- 087 Rep. Boquist **MOTION: Moves to ADOPT HJR 34-2 amendments dated 04/11/05.**
- 091 Rep. Hunt Points out how -2 amendments are a “thoughtful approach” to helping veterans and preserving salmon watershed protection program.
- 100 **VOTE: 7-0-0**
- Chair Nelson **Hearing no objection, declares the motion CARRIED.**
- 103 Rep. Boquist **MOTION: Moves HJR 34 to the floor with a BE ADOPTED AS AMENDED recommendation and BE REFERRED to the committee on Revenue by prior reference.**
- VOTE: 7-0-0**
- AYE: In a roll call vote, all members present vote Aye.**
- Chair Nelson **The motion CARRIES.**
- 122 Chair Nelson Closes the work session on HJR 34. Opens a work session on HB 2425.

HB 2425- WORK SESSION

- 126 Jim Stembridge Committee Administrator. Explains HB 2425, which directs State Parks and Recreation Commission to allow free use of state parks. Campsites and day use areas on any day by disabled veterans and active duty military personal. Submits and summarizes -1 amendments (**EXHIBIT H**).

138 Tim Wood Director, Oregon Parks and Recreation Department. States that the Oregon Parks and Recreation Department has no objection to HB 2425 or-1 amendments.

144 Rep. Boquist **MOTION: Moves to ADOPT HB 2425-1 amendments dated 04/11/05.**

VOTE: 7-0-0

Chair Nelson **Hearing no objection, declares the motion CARRIED.**

149 Rep. Boquist **MOTION: Moves HB 2425 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Revenue by prior reference.**

VOTE: 7-0-0

AYE: In a roll call vote, all members present vote Aye.

Chair Nelson **The motion CARRIES.**

158 Chair Nelson Closes the work session on HB 2425. Opens a work session on HB 2602.

HB 2602 – WORK SESSION

160 Jim Stembridge Committee Administrator. Explains HB 2602, which creates Oregon Military Emergency Financial Relief Program and Oregon Military Emergency Financial Relief Fund. Submits and summarizes -3 amendments (**EXHIBIT I**). Submits and summarizes -4 amendments (**EXHIBIT J**).

188 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Testifies in support of HB 2602.

222 Mac MacDonald Representative, Veterans' Organizations. Testifies in support of HB 2602 and points out that Oregon Reservists should be eligible for relief funds.

239 Rep. Hunt Questions removing the grant limit because "it seems reasonable to me to have a cap."

249 Caldwell Explains that OMD did not ask to remove the cap on grant amounts, but notes that funding caps have the tendency to limit long term administrative adaptability.

274 Chair Nelson Explains the challenge of including Oregon Reservists in HB 2602.

297 **Rep. Farr** **MOTION: Moves to ADOPT HB 2602-4 amendments dated 04/18/05.**

VOTE: 7-0-0

Chair Nelson **Hearing no objection, declares the motion CARRIED.**

304 **Rep. Farr** **MOTION: Moves HB 2602 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**

320 **VOTE: 7-0-0**

AYE: In a roll call vote, all members present vote Aye.

Chair Nelson **The motion CARRIES.**

336 Chair Nelson Closes the work session on HB 2602. Opens a work session on HB 2739.

HB 2739 – WORK SESSION

345 Jim Stembridge Committee Administrator. Explains HB 2739, which directs State Parks and Recreation Director to adopt rules that make state funding assistance available to nonprofit veterans' organizations to construct and restore veterans and war memorials located on public property.

358 Tim Wood Director, Oregon Parks and Recreation Department (OPRD). Addresses concern that OPRD does not have an interest in developing veteran's memorial. Explains that OPRD opposition to HB 2739 is because OPRD already has two grant programs for constructing memorials.

391 Chair Nelson Opens the work session on HB 2878.

HB 2878 – WORK SESSION

392 Wood Clarifies that OPRD already has statutory authority to acquire land for the purpose of building memorials.

TAPE 75, B

004 Chair Nelson Asks how much grant money is available from OPRD.

007 Wood States that Local Grant Program is funded at \$8.5 million dollars and Heritage Grant Program is funded at the \$200 thousand dollars.

011 Chair Nelson Asks what the difference is between Heritage Grant Program and Local Grant Program.

013 Wood Explains the difference between the two grant programs.

024 Rep. Hunt Confirms that passing HB 2878 and HB 2739 would make it clear that veterans memorial do qualify for OPRD grant money and would not put any additional administrative responsibilities on OPRD.

035 Chair Nelson Asks what the criteria are for awarding grants.

038 Wood Explains how applications for Heritage and Local Grant Programs are evaluated.

045 Chair Nelson Asks if OPRD has ever exercised eminent domain authority.

048 Wood Explains why OPRD has eminent authority and why it needs to remain in statute, noting that the last time OPRD actually exercised the authority was 1978.

070 Dave Wright Assistant Director, OPRD. Explains why OPRD used eminent domain authority in 1978.

091 Rep. Farr Verifies that \$8 million dollars was allocated for the Heritage Grant Program in the 2003-05 and 2005-07 state budget.

095 Rep. Farr Asks what memorials have received funds from Heritage Grant Program.

098	Wood	Explains that no organization or individual has applied for a Heritage Grant.
102	Rep. Farr	Confirms that the Afghan/Iraqi Memorial would qualify for OPRD grant programs.
107	Rep. Barnhart	Asks if the OPRD grant programs are over-subscribed.
117	Wood	States that the grant programs are “slightly over-subscribed.”
122	Chair Nelson	Asks how long the OPRD has been allocated money for memorials.
124	Wood	Explains the funding history of grant programs.
170	Rep. Bruun	MOTION: Moves HB 2739 to the floor with a DO PASS recommendation.
		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Nelson	The motion CARRIES.
		REP. BOQUIST will lead discussion on the floor.
189	Rep. Hunt	Verifies that -1 amendments only remove eminent domain authority from OPRD.
197	Rep. Hunt	MOTION: Moves HB 2878 to the floor with a DO PASS recommendation.
		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Nelson	The motion CARRIES.
		REP. HUNT will lead discussion on the floor.

The following written material is submitted for the record without public testimony:

- Tim Wood Submits information packet on HB 2739 which includes: list of Oregon Parks and Recreation Commission, list of Local Government Grants Advisory Committee, list of Oregon Heritage Commission, and list of all projects awarded grants from Local Government Grants Program and Oregon Heritage Grants Program (**EXHIBIT K**).
- 222 Chair Nelson Closes the work session on HB 2739 and HB 2878. Opens a public hearing on HB 2138.

HB 2138 – PUBLIC HEARING

- 234 Jim Stembridge Explains HB 2138, which requires that official military orders make certain specific statement for person to receive during military leave. Submits and summarizes -1 amendments (**EXHIBIT L**). Submits and summarizes fiscal impact statement on HB 2138 (**EXHIBIT M**).
- 275 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Explains the necessity and purpose of HB 2138.
- 318 Chair Nelson Explains how the fiscal impact statement was calculated.
- 344 Caldwell Questions if the Department of Administrative Services considered the type of military orders of each employee when calculating fiscal impact.
- 382 Chair Nelson Confirms that OMD pays soldiers for annual training, even if their employer continues to pay them.
- 391 Caldwell Clarifies the statutory effect of the bill.

TAPE 76, B

- 001 Rep. Hunt Asks if the OMD interprets annual training as 15 calendar days.
- 004 Caldwell Explains that the intent of the state is to allow for 15 consecutive days of leave for annual training.
- 016 Rep. Boquist Questions whether the fiscal statement really reflects 88 hours of annual training, not the 15 consecutive days provide by statute.

- 021 Caldwell Explains how the fiscal statement is based 88 hours or 11 work days out of 15 for annual training, adding that accuracy should be clarified with Legislative Counsel.
- 043 Chair Nelson Closes the public hearing on HB 2138. Opens a work session on HB 2795.

HB 2795 – WORK SESSION

- 047 Jim Stembridge Committee Administrator. Explains HB 2795, which appropriates moneys from General Fund to Director of Veterans' Affairs for building memorial to Oregon Military personal killed in Afghanistan and Iraq wars. Submits and summarizes -1 amendments (**EXHIBIT N**).
- 070 Chair Nelson Submits Afghan Iraqi Freedom Memorial Illustrations (**EXHIBIT O**).
- 074 Rep. Boquist **MOTION: Moves to ADOPT HB 2795-1 amendments dated 04/13/05.**
- VOTE: 7-0-0**
- Chair Nelson **Hearing no objection, declares the motion CARRIED.**
- 077 Rep. Boquist **MOTION: Moves HB 2795 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.**
- VOTE: 7-0-0**
- AYE: In a roll call vote, all members present vote Aye.**
- Chair Nelson **The motion CARRIES.**
- 099 Chair Nelson Closes the work session on HB 2795. Opens a public hearing on HJM 13.

HJM 13 – PUBLIC HEARING

- 106 Jim Stembridge

Committee Administrator. Explains HJM 13, which urges President and Congress to exempt veteran disability and pension income from federal income taxation.

- 118 Mac MacDonald Representative, Veterans' Organizations. Testifies in support of HJM 13.
- 135 Chair Nelson Closes the public hearing on HJM 13. Open a public hearing on HJM 25.

HJM 25 – PUBLIC HEARING

- 139 Jim Stembridge Committee Administrator. Explains HJM 25, which urges Congress to eliminate practice of subtracting disability payments from pension amounts due to disabled veterans regardless of level of disability.
- 145 Chair Nelson Expresses support for HJM 25.
- 156 Rep. Bruun Questions the ethics of omitting Merchant Marines from HJM 25.
- 167 Chair Nelson Closes the public hearing on HJM 25. Opens a public hearing on HJM 17.

HJM 17 – PUBLIC HEARING

- 175 Jim Stembridge Committee Administrator. Explains HJM 17, urges Congress to exempt from federal income taxation income received by taxpayer while taxpayer serves in combat zone.
- 177 Chair Nelson Expresses support for HJM 17.
- 182 Chair Nelson Closes the public hearing on HJM 17.

The following written material is submitted for the record without public testimony:

Mike Sullivan Lobbyist, Association of Western Pulp and Paper Workers. Submits Disabled American Veterans News Release on Veterans' Issues **(EXHIBIT P)**.

Jennifer Vina

Public Information Representative, Oregon Department of Veterans' Affairs (ODVA). Submits Oregon Veteran Population Chart **(EXHIBIT Q)**.

305 Chair Nelson Adjourns the meeting at 10:27 a.m.

EXHIBIT SUMMARY

- A. Veterans' Issues, Case History Memorandum, staff, 2 pp
- B. HB 2861, National Homeless Veterans' Report, staff, 4 pp
- C. Veterans' Issues, written testimony of Ronald Estep, staff, 1 p
- D. Veterans' Issues, *The Dalles Chronicle* Newspaper Article, staff, 2 pp
- E. HJR 34, -5 amendments, staff, 1 p
- F. HJR 34, -2 amendments, Rep. Brian Boquist, 1 p
- G. HJR 34, Fiscal Impact Chart, Rep. Brian Boquist, 1 p
- H. HB 2425, -1 amendments, staff, 1 p
 - I. HB 2602, -3 amendments, staff, 2 pp
 - J. HB 2602, -4 amendments, staff, 5 pp
- L. HB 2138, -1 amendments, staff, 1 p
- M. HB 2138, fiscal impact statement, staff, 1 p
- N. HB 2795, -1 amendments, staff, 1 p
- O. HB 2795, Afghan Iraqi Freedom Memorial Illustrations, Rep. Donna Nelson, 3 pp

The following material is submitted for the record without public testimony:

- K. HB 2739, information packet, Tim Wood, 12 pp
- P. Veterans' Issues, Disabled American Veterans New Release, Mike Sullivan, 2 pp
- Q. Veterans' Issues, Oregon Veteran Population Chart, Jennifer Vina, 1 p