

HOUSE COMMITTEE ON
VETERANS' AFFAIRS

May 12, 2005 Hearing Room C

8:30 A.M. Tapes 94 - 95

Corrected 10/17/05

MEMBERS PRESENT: Rep. Donna Nelson, Chair

Rep. Debi Farr, Vice-Chair

Rep. Brian Boquist

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Betty Komp

MEMBER EXCUSED: Rep. Phil Barnhart, Vice-Chair

STAFF PRESENT: Jim Stembridge, Committee Administrator

Erin Seiler, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2861 – Work Session

HB 2864 – Work Session

HCR 14 – Work Session

HB 2677 – Work Session

HB 2700 – Work Session

HB 2843 – Work Session

HB 3413 – Work Session

SB 486 – Public Hearing

SB 575A – Work Session

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 94, A

002 Chair Nelson Opens the meeting at 8:37 a.m. Opens a work session on HB 2861.

HB 2861 – WORK SESSION

022 Jim Stembridge Committee Administer. Explains HB 2861, which requires Director of Veterans’ Affairs to establish program to provide grants to veterans for temporary housing.

028 Chair Nelson Closes the work session on HB 2861. Opens a work session on HB 2864.

HB 2864 – WORK SESSION

033 Jim Stembridge Committee Administrator. Explains HB 2864, which creates Veterans’ Discharge Stipend Program to provide temporary income to veterans when discharged from active federal service. Submits and summarizes -2 amendments (**EXHIBIT A**).

069 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Explains the average length of federal active duty.

089 Chair Nelson Addresses the importance of preventing conflict between emergency assistance for veterans and for active duty soldiers.

102 Rep. Boquist States that amendment was necessary to insert the new definition of veteran into bill.

- 112 Chair Nelson Questions whether it is necessary to have language stipulating that temporary income funds should only be awarded to soldiers discharged under honorable conditions.
- 121 Rep. Boquist Points out those soldiers discharged under dishonorable conditions do not qualify for veteran's status or benefits.
- 133 Caldwell Affirms that the language is correct and without conflict.
- 150 Rep. Nelson **MOTION: Moves to ADOPT HB 2864-2 amendments dated 05/04/05.**
- VOTE: 5-0-2**
- EXCUSED: 2 - Barnhart, Farr**
- Chair Nelson Hearing no objection, declares the motion CARRIED.**
- 155 Rep. Boquist **MOTION: Moves HB 2864 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**
- 181 **VOTE: 5-0-2**
- AYE: In a roll call vote, all members present vote Aye.**
- EXCUSED: 2 - Barnhart, Farr**
- Chair Nelson The motion CARRIES.**
- 185 Chair Nelson Closes the work session on HB 2864. Opens a work session on HCR 14.

HCR 14 – WORK SESSION

- 1190 Jim Stembridge Committee Administrator. Explains HCR 14, which recognizes June 14, 2005, as "Honor Our Oregon National Guard Day."
- 198 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Identifies December 13 as the appropriate date to honor the Oregon National Guard.

219 Rep. Bruun Recommends deletion of the specific number of OMD soldiers who have been killed in combat.

248 Rep. Bruun **MOTION: Moves to AMEND HCR 14 on page 1, in line 8, after "Whereas," insert "gallant," and on page 1, in line 10, after "Whereas," insert "gallant," and on page 1, in line 17, after "designate," insert "December 13 of every year".**

255 **VOTE: 5-0-2**

EXCUSED: 2 - Barnhart, Farr

Chair Nelson Hearing no objection, declares the motion CARRIED.

256 Rep. Bruun **MOTION: Moves HCR 14 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.**

277 **VOTE: 5-0-2**

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

EXCUSED: 2 - Barnhart, Farr

Chair Nelson The motion CARRIES.

REP. NELSON will lead discussion on the floor.

284 Chair Nelson Closes the work session on HCR 14. Opens a work session on HB 2677, HB 2700, HB 2843, and HB 3413.

HB 2677/HB 2700/HB 2843/ HB 3413 –WORK SESSION

307 Jim Stembridge Committee Administrator. Explains the procedure for reconsideration of HB 2677, HB 2700, HB 2843, and HB 3413.

322 Rep. Bruun **MOTION: Moves to SUSPEND the rules for the purpose of RECONSIDERING HB 2677, HB 2700, HB 2843, and HB 3413.**

330 **VOTE: 5-0-2**

EXCUSED: 2 - Barnhart, Farr

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

355 **Rep. Bruun** **MOTION: Moves to RECONSIDER HB 2677, HB 2700, HB 2843, and HB 3413.**

VOTE: 5-0-2

EXCUSED: 2 - Barnhart, Farr

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

382 **Rep. Boquist** **MOTION: Moves HB 2677 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**

397 **VOTE: 5-0-2**

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

EXCUSED: 2 - Barnhart, Farr

Chair Nelson **The motion CARRIES.**

400 **Rep. Boquist** **MOTION: Moves HB 2700 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**

TAPE 95, A

001 **Rep. Hunt** **Objects to motion.**

008 **VOTE: 4-1-2**

AYE: 4 - Boquist, Bruun, Komp, Nelson

NAY: 1 - Hunt

EXCUSED: 2 - Barnhart, Farr

Chair Nelson **The motion CARRIES.**

010 **Rep. Boquist** **MOTION: Moves HB 2843 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.**

017 Chair Nelson Recesses the meeting at 9:04 a.m.

018 Chair Nelson Reconvenes the meeting at 9:11 a.m.

019 Stembridge Confirms that -2 amendments had been adopted.

032 Rep. Hunt Objects to motion.

037 Rep. Farr Asks for verification of the testimony received from the Oregon Military Department (OMD) and the Oregon Department of Veterans' Affairs (ODVA).

040 Chair Nelson Confirms that OMD and ODVA are in support of HB 2843.

058 Rep. Boquist Speaks in support of HB 2843.

088 Chair Nelson Cites existing statute relating to the obligation of soldiers to pay business license fees.

094 Rep. Boquist States that the goal is for soldiers to return home and have employment.

108 Colonel Mike Caldwell Deputy Director, OMD. Summarizes the impact that indefinite deployment has on businesses owned by soldiers.

146 Rep. Hunt Identifies several reasons why the broad language of the bill would cause the cost of the program to be fiscally unrealistic for state and local governments.

163 Chair Nelson Suggests that the bill can be amended so that a free license is a one time event.

174 **VOTE: 5-1-1**

AYE: 5 - Boquist, Bruun, Farr, Komp, Nelson

NAY: 1 - Hunt

EXCUSED: 1 - Barnhart

Chair Nelson The motion CARRIES.

177 Rep. Hunt MOTION: Moves HB 3413 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED and BE REFERRED to the committee on Budget.

191 VOTE: 6-0-1

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

EXCUSED: 1 - Barnhart

Chair Nelson The motion CARRIES.

193 Chair Nelson Closes the work session on HB 2677, HB 2700, HB 2843, and HB 3413. Opens a public hearing on SB 486.

SB 486 – PUBLIC HEARING

200 Jim Stembridge Committee Administrator. Explains SB 486, which extends tuition waiver program of Oregon Military Department to surviving family members of members of Oregon National Guard killed while on active duty.

217 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Testifies in support of SB 486.

260 Rep. Boquist Clarifies that tuition waiver program is one already administered by OMD and SB 486 is just an extension of the existing program.

265 Rep. Hunt Questions whether the education program will continue to be fully funded by the federal government when it is adjusted to 100 percent for Oregon National Guard soldiers.

270 Caldwell Clarifies the difference between the education funding under the G.I Bill and State of Oregon.

314	Chair Nelson	Verifies that tuition waivers can be used for trade schools.
377	Rep. Boquist	Verifies that the implementation language parallels the federal statute.
394	Chair Nelson	Closes the public hearing on SB 486. Opens a work session on SB 575A.

TAPE 94, B

SB 575A – WORK SESSION

001	Senator Richard Devlin	Senate District 19. Testifies in support of SB 575A.
060	Chair Nelson	Asks if Oregon Reservists could be included as eligible participants.
064	Sen. Devlin	Explains how relating clause limits applicability to Oregon National Guard, noting the possibility of having a conforming bill to make all military bills applicable to all soldiers.
073	Rep. Boquist	Expresses appreciation to Sen. Devlin for efforts on behalf of veterans’.
077	Sen. Devlin	States why benefits and rights should be applicable to all Oregon soldiers.
087	Colonel Mike Caldwell	Deputy Director, Oregon Military Department (OMD). Testifies in support of SB 575A.
094	Mac MacDonald	Representative, Veterans’ Organizations. Testifies in support of SB 575A.
105	Jack LaBox	Representative, American Legion. Testifies in support of SB 575A.
118	Harley Ray	Legislative Chair, American Legion. Testifies in support of SB 575A.
129	David McDonald	Director of Enrollment and Student Services, Oregon University System. Submits and summarizes written testimony in support of SB 575 A (EXHIBIT B) .

- 149 Bob Duehmig Government Relations Representative, Oregon Health Sciences University (OHSU). Submits and summaries written testimony in support of SB 575A (**EXHIBIT C**).
- 155 Julie Suchanek Legislative Advocate, Oregon Community Colleges Association (OCCA). Submits and summarizes written testimony in support of SB 575A (**EXHIBIT D**).
- 171 **Rep. Hunt** **MOTION: Moves SB 575A to the floor with a DO PASS recommendation.**
- 182 **VOTE: 5-0-2**
- AYE: In a roll call vote, all members present vote Aye.**
- EXCUSED: 2 - Barnhart, Farr**
- Chair Nelson** **The motion CARRIES.**
- REP. KOMP will lead discussion on the floor.**
- 188 Chair Nelson Closes the work session on SB 575A. Reopens a public hearing on SB 486.

SB 486 – PUBLIC HEARING

- 197 Mac MacDonald Representative, Veterans’ Organizations. Stresses the importance of extending waivers to all widows of members of the Armed Forces.
- 216 Rep. Farr Points out that the waver is specifically for Oregon residents and relates only too educationally institutions in Oregon.
- 224 Rep. Hunt Questions whether it is a reasonable approach to have a confirming bill to extend all benefits passed for Oregon National Guard soldiers and their family to all Oregon soldiers.
- 249 Chair Nelson Explains why a specific service period needs to be set.
- 264 Colonel Mike Caldwell Deputy Director, Oregon Military Department (OMD). Explains why OMD deliberately designed the bill to apply only to Oregon National Guard soldiers.

293	Chair Nelson	Asks what the OMD oversees.
295	Caldwell	Explains that OMD is the legal entity that manages the Oregon National Guard.
300	Chair Nelson	Asks whether there are other state services that would work under the OMD other than the Oregon National Guard.
319	Rep. Boquist	Identifies the difficulties of including Reservists in program.
333	Paula Brown	Deputy Director, Oregon Department of Veterans' Affairs (ODVA). Suggests that Oregon University System administer the educational waiver program for Oregon Reservists.
345	Caldwell	Explains how OMD is able to validate only the applications of Oregon National Guard soldiers applying for educational assistance from the Oregon Student Assistance Commission.
366	Chair Nelson	Closes the public hearing on SB 486. Adjourns the meeting at 10:04 a.m.

EXHIBIT SUMMARY

- A. **HB 2864, -2 amendments, staff, 4 pp**
- B. **SB 575A, written testimony, David McDonald, 1 p**
- C. **SB 575A, written testimony, Bob Duehmig, 1 p**
- D. **SB 575A, written testimony, Julie Suchanek, 1 p**