

The Uniformed Service Member's Voice in Government
NATIONAL ASSOCIATION FOR UNIFORMED SERVICES
Hawaii Chapter (HI-1)

February 27, 2013

TESTIMONY IN SUPPORT OF HOUSE BILL 161
RELATING TO VETERANS DISABILITY
.HOUSE COMMITTEE ON JUDICIAL
HEARING ON FRIDAY, MARCH 1ST AT 2:00PM,
IN CONFERENCE ROOM 325

Aloha Chair Rhoads and Vice Chair Har: Thank you for this opportunity to provide testimony in support of House Bill 161. The National Association for Uniformed Services (NAUS) is honored to be recognized as "The Service Member's Voice in Government." Here, in the great State of Hawaii, NAUS Hawaii Chapter (HI-1) serves at the pleasure of our nation's largest per-capita uniformed service community.

NAUS Hawaii Chapter (HI-1) is extremely grateful for your efforts to add a new section to part III of Chapter 651, Hawaii Revised Statutes, exempting Federal disability benefits awarded to veterans for service-connected disabilities pursuant to Title 38 United States Code chapter 11 as:

- (1) exempt from the claim of creditors;
- (2) not subject to attachment, levy, or seizure under any legal or equitable process, as provided by federal law; and
- (3) not to be awarded to any other person.

NAUS Hawaii Chapter (HI-1) respectfully urges your committee to consider passing House Bill 161 with the following recommendation: We urge you to consider legislatively encouraging our courts to first consider the United State's Veterans Administration's equitable disability compensation apportionment policy, for support claimed by subject disabled veteran's dependent children and custodian/guardian, before imposing scheduled support payments, in accordance with Title 42 United States Code section 659(h)(1)(A)(ii)(V) provisions.

Providing the proposed legislative protection in part III, Chapter 651, Hawaii Revised Statutes law supports and endorses the intent of Title 10 United States Code Section 1408(a)(4)(B) and is very much appreciated by our disabled veterans and military personnel who served so selflessly.

At your service,

D Egge

Dennis Egge; Chapter President



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STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 161 (HSCR212), RELATING TO
VETERANS DISABILITY BENEFITS

PRESENTATION TO THE
COMMITTEE ON JUDICIARY

BY

MR. RONALD P. HAN
DIRECTOR OF THE STATE OFFICE OF VETERANS SERVICES

March 1, 2013

Chair Rhoads, Vice Chair Har and Committee members:

I'm Ron Han, Director of the State Office of Veterans Services (OVS). I appreciate this opportunity to provide testimony in support of the concepts in House Bill 161 (HSCR212).

This measure seeks to assure that Veteran's compensation benefits become exempt from the claim of creditors and cannot be subject to additional terms, levies, or seizure. The benefits may not be awarded to any other person. However, this amendment will allow children and spouses in such cases to receive some of the benefits of the veteran.

This law will allow Veterans' benefits to remain protected from institutions that intend to profit from the benefits while allowing dependents receive benefits should the need arise. There are Federal prohibitions on the distribution of compensation benefits provided by the Department of Veterans Affairs.

We defer to the Department of Veterans Affairs, which has direct responsibility for payments to veterans and their family members, in determining the legitimacy of creditors' claims for payment.

The OVS supports the intent expressed in this measure as long as its implementation does not impact or replace the priorities set forth in the Executive Biennium Budget for Fiscal Biennium 2013-2015.

Thank you for this opportunity to provide testimony on behalf of Hawaii's Veterans and their families in support of HB 161 (HSCR212).