

HB 805 HD2

RELATING TO VETERANS DISABILITY BENEFITS

Exempts federal veterans disability compensation benefits from seizure to enforce a court judgment. Provides that only that portion of a veteran's disability benefits that is not considered to be the veteran's disability compensation shall be subject to a child and spousal support enforcement. (HB805 HD2)

PSM, JDL

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 805 HD2, RELATING TO
VETERANS DISABILITY BENEFITS

PRESENTATION TO THE

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY
AFFAIRS

BY

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

March 24, 2015

Chair Espero, Vice Chair Baker 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 805 HD2.

This measure seeks to exempt federal veterans disability compensation benefits from seizure to enforce a court judgment. It also provides that only that portion of the veteran's disability benefits that is not considered to the veteran's disability compensation shall be subject to child and spousal support enforcement.

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 Budget.

Thank you for this opportunity to provide testimony on behalf of Hawaii's Veterans and their families in support of HB 805 HD2.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 9:21 PM
To: PSMTestimony
Cc: mjgolo@email.phoenix.edu
Subject: Submitted testimony for HB805 on Mar 24, 2015 13:20PM

HB805

Submitted on: 3/19/2015

Testimony for PSM on Mar 24, 2015 13:20PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Veterans Advisory Board	Support	No

Comments: We support the intent of HB805.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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The Uniformed Service Member's Voice in Government
NATIONAL ASSOCIATION FOR UNIFORMED SERVICES
Hawaii Chapter (HI-1)
March 21, 2015

TESTIMONY IN SUPPORT OF HOUSE BILL 805HD2 WITH COMMENTS
RELATING TO VETERANS DISABILITY BENEFITS
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS
HEARING TUESDAY, March 24TH AT 1:20PM,
IN CONFERENCE ROOM 229

Aloha Chair Espero and Vice Chair Baker: Thank you for providing us with this opportunity to share our sentiments in support of House Bill 805HD2. On Capitol Hill the National Association for Uniformed Services (NAUS) is well known as "The Service Member's Voice in Government." Here, in the great State of Hawaii, the NAUS Hawaii Chapter (HI-1) serves at the will and pleasure of our nation's largest per-capita uniformed services community.

NAUS Hawaii Chapter (HI-1) sincerely appreciates your efforts to exempt Federal Title 38 United States Code chapter 11 related disability benefits, from claims of creditors, attachment, levy, or seizure under any legal or equitable process, as provided by federal law; and prohibiting their being awarded to any other person.

In addition to the new protections HB 805HD2 propose, Arizona and most recently Wyoming also prohibit indemnification of those who would claim access to the subject disability benefits, in a military divorce action.

NAUS Hawaii Chapter (HI-1) respectfully urges you to consider:

- a. adopting the example set by the Arizona and Wyoming legislatures, regarding claimant indemnification and
- b. encouraging our courts to defer judgment to the United State's Veterans Administration's equitable disability compensation apportionment policy, for at least 90 days, before imposing scheduled support payments, in accordance with Title 42 United States Code section 659(h)(1)(A)(ii)(V), for support claimed by a subject disabled veteran's dependent children, custodian/guardian and spouse.

We respectfully encourage you to include both of our aforementioned proposals, in passing HB805HD2. We sincerely believe these legislative actions will most certainly strengthen Hawaii's support for United States Code, Title 38 Chapter 11, Title 42 Section 659(h)(1)(A)(ii)(V) and Title 10, Section 1408(a)(4)(B) spirit and intent, and be much appreciated by our divorcing disabled veterans and military personnel.

Thank you for being here for us,

D Egge

Dennis Egge; Chapter President



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TESTIMONY ON HOUSE BILL 805, HD2, RELATING TO VETERANS
DISABILITY BENEFITS

PRESENTATION TO THE

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND
MILITARY AFFAIRS

BY

CARSWELL J. ROSS, JR. Chief Master Sergeant, USAF. Ret.;

Tuesday, March 24, 2015

Chair Will Espero, Vice Chair Rosalyn Baker, and Committee Members:

I'm Caz Ross, veterans and I appreciate this opportunity to provide testimony in **support** of the concepts in House Bill 805 HD2.

This measure seeks to exempt federal veterans' disability compensation benefits from seizure to enforce a court judgment. It also provides that only that portion of the veteran's disability benefits that is not considered to the veteran's disability compensation shall be subject to child and spousal support enforcement.

I have seen many instances where the veteran's ability to live and a decent manner is overlooked because disability benefits are used to determine payments to spouse and children. Allow me to remind you that disability benefits are granted due to the loss of functioning. Many disabled veterans are not able due to injuries or illness to work. This means that they live off their VA check and do not derive other income. Reduction of the VA funds greatly reduces the quality of life for these individuals. Are we asking them to sacrifice again and again. The least that should be provided to veterans is adequate funds to support themselves.

Thank you for this opportunity to provide testimony in support of 805 HD1, HD2.