

**REPORT OF THE COMMISSION ON
VETERANS' AFFAIRS
TO
THE GOVERNOR,
ATTORNEY GENERAL, AND
GENERAL ASSEMBLY OF VIRGINIA**



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EXECUTIVE SUMMARY

Though required by the Code of Virginia (§ 9-86) to make a biennial report to the Governor, Attorney General, and General Assembly on matters affecting Virginia's veterans, the Commission has not, in fact, so reported since 1976 (see House Document No. 18 of that year). Largely because of inadequate funding, the Commission remained inactive until late 1978. On the recommendation of the Commission, the 1979 General Assembly made technical amendments to the Commission's enabling legislation (Chapter 10 of Title 9 of the Code of Virginia, §§ 9-85 et seq.) which regularized its reporting duties and permitted Commission members to be compensated and reimbursed for their expenses at the same rate as members of other legislative study bodies (see Chapter 383 of the 1979 Acts of Assembly).

In 1979 the Commission conducted public hearings on the needs of Virginia's veterans in Richmond, Norfolk, Roanoke, and Fairfax. These meetings were attended by representatives of various veterans' organizations, veterans' programs administrators of institutions of higher education, State and local officials, individual veterans, and surviving dependents of veterans. Testimony was extensive.

The general thrust of statements made to the Commission was that though the Division of War Veterans' Claims (the only operating State agency charged specifically with veteran-related duties) was doing an admirable job, considering its small size and limited budget, a great many of the needs of Virginia's veterans' needs are either going unmet, or are being very poorly met, when Virginia is compared to other states. It was found to be desirable not only to better provide for Virginia's veterans, but to consider steps to induce an increasing number of military retirees to settle permanently in Virginia. The Commission urges the adoption of a number of legislative measures (see Appendix I), and the undertaking of a number of administrative actions (see Recommendations) which will move toward these goals.

RECOMMENDATIONS

On the basis of public hearings and its own deliberations the Commission on Veterans' Affairs recommends:

1. That the Division of War Veterans Claims be commended for its service to the veterans of Virginia;

2. That the Attorney General and other responsible State officials take steps (a) to provide the Division of War Veteran's Claims access to the State Controlled Administrative Telephone System (SCATS), (b) to provide for increased allowance for travel of the Division's personnel in providing service to veterans, and (c) to increase the regularity and frequency of the Division's public affairs announcements of its programs and activities;

3. That the Virginia Employment Commission be given explicit statutory authority to employ radio and television to make the public—and particularly veterans seeking to reenter the civilian labor market—aware of its programs and services;

4. That Virginia holders of the Medal of Honor be provided, free of charge, with distinctive motor vehicle license plates;

5. That clerks of court be authorized to record, free of charge reports of separation from active duty (DD 214 forms);

6. That the responsible State officials be called upon to take the necessary steps to permit Virginia to participate in the federal government's program of financial assistance to the states for the acquisition and maintenance of state veterans' cemeteries (Public Law 95-476);

7. That State law be amended to provide that those localities granting real estate tax relief to the elderly and handicapped shall consider as "income" of persons seeking such relief only such items of income as are so considered for State income tax purposes;

8. That the Department of Health and the Adjutant General's Office conduct a joint study of the location and funding of a State "Veterans' Home" or State "Veterans' Homes"; and

9. That the General Assembly conduct a study of the question of State income tax exemptions or tax credits for military retirees or their surviving spouses living in Virginia.

FINDINGS

The Commission on Veterans' Affairs finds that:

1. The Division of War Veterans' Claims has been providing a much-needed service to Virginia's veterans by informing them of, and assisting them in applying for and obtaining from the federal government, various benefits to which they are entitled. In the fiscal year ending June 30, 1979, the Division recovered for Virginia veterans \$44,925,261 in benefits—the Division recovered \$42.06 for each dollar expended by the Division.

2. The Division of War Veterans' claims is laboring under at least 3 handicaps which should be remediable by administrative action. The Division is not tied into the State Controlled Administrative Telephone System (SCATS), creating a significant inconvenience, and perhaps also increased expense, in coordinating information and activities with other State agencies. The Governor's restriction on travel miles allowed State employees has adversely impacted the Division in that many of its clients are either elderly or handicapped or both and cannot come to the Division's offices to seek assistance. Many veterans in Virginia are still totally unaware that the Division even exists, much less that its personnel can be of significant assistance to them in many cases, yet the Division's budget makes little if any provision for any kind of public information program. The Division has had to rely on *pro bono* public service announcements on radio and television and in newspapers to make veterans aware of the Division. These announcements are few, infrequent, irregular, and largely ineffective.

3. A lack-of-publicity problem similar to that experienced by the Division of War Veterans' Claims has manifested itself in connection with the Virginia Employment Commission. The Commission, which sought to publicize its veteran-related programs by television "spots," encountered objection to such action from the Virginia Public Telecommunications Council. At the time of the last meeting of the Veterans' Affairs Commission it was not clear what the outcome of this inter-agency jurisdictional dispute would be—other than unproductive delay.

4. Virginians holding their country's highest military decoration, the Medal of Honor, are few. The providing of distinctive motor vehicle license plates free of charge to these veterans is a fitting, if somewhat minimal, acknowledgement of their heroism and service to the nation.

5. The Code of Virginia presently provides (§ 17-92) for the free recordation by circuit court clerks of discharge certificates. The technicality of the use of the specific term "discharge certificate" rather than a generic term for documentary evidence of separation from active duty has prevented some veterans from timely qualification for veterans' education benefits. This situation should be corrected to allow for free recordation both of discharge certificates and of reports of separation from active duty (DD 214 forms).

6. The veterans of Virginia and the General Assembly have for years been aware of the lack of burial space in national cemeteries in Virginia. The Assembly has memorialized Congress several times (most recently in 1979 with the passage of House Joint Resolution No. 239) to address this need. Through the passage of Public Law 95-476 the Congress has established a program to make funds available to the states for the acquisition and maintenance of state cemeteries. Virginia should take the necessary steps to participate in this program.

7. State law permits localities to provide real estate tax relief to the elderly and handicapped. Even in those localities which have undertaken such tax relief programs, there has been a lack of uniformity of treatment of disability payments and similar non-taxable benefits of veterans when computing the financial worth of persons seeking to qualify for such tax relief. This disuniformity should be eliminated. Only those items of income of tax relief applicants should be included as "income" which are considered "income" for State income tax purposes.

8. The average age of veterans is increasing and, as it does, so does their need for a whole range of medical, nursing home, and domiciliary care. The facilities of the United States Veterans Administration are not sufficient to provide the kind of care which is required by ever increasing numbers of veterans—particularly veterans of World War II. The federal government, rather than expand the Veterans Administration wholesale, has developed programs to assist the states in establishing their own state institutions to care for aged, infirm, and indigent veterans. The Commonwealth should be taking steps immediately to participate in the federal assistance program

and establish a veteran's "home" or system of "homes" in Virginia.

9. The desirability of providing some form of tax exemption for veterans goes beyond only military retirees. It involves also surviving spouses and dependents of deceased veterans, and raises the question of whether assistance might be made available most effectively and equitably through income tax exemptions or through income tax credits. This is a complex matter and merits study by the finance committees of the General Assembly.

COMMITTEE ACTIVITIES, 1978-79

For many years the Commission on Veterans' Affairs lay dormant. Few veterans in Virginia were even aware of the Commission's existence. In the past two years the Commission has been engaged in a purposeful program the first aim of which, of necessity, was to reestablish contact with the veterans whose needs the Commission is charged with evaluating. In the process of re-equipping itself to carry out its mission, the Commission urged the 1979 Assembly to enact legislation which would regularize the Commission's reporting date, provide for the annual election of a chairman and vice chairman, and permit Commission members to receive the same compensation and expense reimbursement permitted members of other legislative study commissions. The Assembly concurred in these recommendations through the enactment of Chapter 383 of the 1979 Acts of Assembly (House Bill No. 1240).

The increase in the Commission's appropriations from \$250 for each year of the 1976-77 biennium to \$1,000 for the first year and \$10,000 for the second year of the 1978-79 biennium permitted the Commission to hold a series of four public hearings in 1979: in Richmond, Roanoke, Fairfax, and Norfolk. These hearings were attended by representatives not only of veterans' organizations (such as the Retired Officers' Association, the Veterans of Foreign Wars, the Disabled American Veterans, and the American Legion), but also by representatives of State and local governmental agencies (particularly the Division of War Veterans' Claims), veterans' programs administrators of colleges and universities, and individual veterans and surviving spouses of veterans.

The "catch-up" process made the Commission aware both of the needs of veterans in Virginia, and also of the inadequacy of the programs which the Commonwealth has developed to attempt to meet these needs. While a great many witnesses commended, in particular, the Division of War Veterans' Claims, other testimony before the Commission and correspondence with Commission staff confirmed the Commission in the opinion that many potential beneficiaries of the Division's services did not even know of its existence.

The amount of money and time devoted by the Division to public information activities appears to be minimal. Reliance seems to be placed almost exclusively on *pro bono* public service announcements over radio and television and in local newspapers. This sort of approach produces at best irregular and non-uniform coverage and should be improved. Testimony also pointed to the reduction of the availability of Division personnel to their clients and potential clients because of an executive branch-wide curtailment of travel allowances. This works a particular hardship on elderly and disabled veterans, particularly in rural areas, who have no way to reach the Division's offices in person. The Commission also found that the Division had no access to the State Controlled Administrative Telephone System (SCATS). This lack is bound to make coordination of Division activities with those of other State agencies at least more awkward if not also more expensive.

No need of a veteran newly separated from service is more acute than the need to find employment. The Virginia Employment Commission (VEC) has several programs, the Veterans' Affairs Commission was informed, which can help veterans reenter the civilian job market. Incredibly, the VEC was being frustrated in informing veterans of these programs through television advertising by the attempted intervention of the Virginia Public Telecommunications Council to prevent such advertising. In the interest of veterans' employment, the Veterans' Affairs Commission feels it advisable for the General Assembly to sunder this bureaucratic Gordian Knot by providing the VEC with explicit statutory authority to use the electronic media to publicize its programs—including veterans' assistance programs.

Considerable sentiment was found to exist among Virginia's veteran population in favor of some form of tax relief for veterans. Proposals ranged from immunity from local personal property or real estate taxes for the 100 percent disabled, to a fixed-dollar exemption from State income tax for all military retirees in Virginia. The Commission was presented with considerable testimony to the effect that restoration of some form of tax exemption for at least a portion of the income of military retirees was desirable. Such an exemption was provided for in Virginia law until 1974. Many witnesses testified that tax exemption for military retirees would induce more such retirees to settle in Virginia after leaving military service. Tax revenues gained from sales taxes, personal property, real estate, and income taxes paid by retirees moving to Virginia, it was argued, would more than make up the revenue lost from a partial income tax exemption for all military retirees. The Commission was also urged to seek a comprehensive study of the impact of Virginia's tax structure not only on military retirees, but on orphans and surviving spouses of deceased veterans as

well. The Commission feels both these concerns should be studied by the Finance Committees of the General Assembly.

Attention of the General Assembly, too, was found to be needed in the matter of real estate tax relief for the elderly and handicapped permitted to be granted by Virginia localities. The Commission does not feel it was the intent of the Assembly, in permitting localities, on a local-option basis, to grant this relief, to permit localities sufficient latitude as to deny, in some instances, property tax relief to disabled veterans because their disability benefits, when counted as "income," raised their net financial worth over tax relief threshold. It is the feeling of the Commission that simple fairness—to say nothing of a desvie for at-least-minimal uniformity—demands that income which is not taxable as "income" for State income tax purposes not be considered as "income" for the purpose of deciding an individual's eligibility for property tax relief.

Two Fedreal programs exist, the Commission learned, which could be of considerable benifit to Virginia veterans at minimal cost to the Commonwealth if only the proper steps can be taken by State officials to permit Virginia to participate in these programs. Both programs would provide State/federal programs to supplement what are now, or have hitherto been, exclusively federal program: federal aid for State veterans' cemeteries and federal aid for State veterans' "homes." The General Assembly has several times memorialized Congress of the need for more national cemeteries in Virginia. The need is apparent; this opportunity to address it should not be ignored. Just as the need for burial space for deceased vetreans is increasingly growing beyond the capacity of the federal government to meet, so is the need for medical, geriatric, nursing home, and domiciliary care for aged veterans growing beyond the capacity of the U.S. Veterans Administration. As the considerable number of Virginia's World War II veterans begin now to reach the age when they require more and more medical and allied assistance, the Veterans Administration medical centers become increasingly incapable of meeting their needs. Virginia would be well advised to make plans now to deal with those needs with federal assistance, as other states have done, rather than await the day when these veterans must suffer the indignity of being added to the State's welfare rolls—at the State's taxpayers' expense.

Little need be said about the proposal that special motor vehicles license plates be provided free of charge to Virginia's Medal of Honor winners. Hitherto the Commonwealth has granted virtually no recognition to these special veterans. The costs involved in such a program, the Commission feels, would certainly be minimal for a benefit so well deserved.

Recent years, particulary the Vietman War, have brought their own problems for veterans. One, at least, is a technical one which should be easily remediable by General Assembly action. Which veterans of earlier wars have been granted the privilege of having their discharge certicates recorded free of charge by court clerks, a technicality in State law prevents the separation form active service documents of more recent veterans from being so recorded. The unintended consequence of this technicality has been to make it at least difficult if not impossible, for some Vietnam-War veterans to obtain education and other veterans' benifits in timely fashion. Support for a change in this provision of State law was expressed before the Commission by both veterans' groups and institutions of higher education.

Other concerns and needs of Virginia's veterans doubt- less need probing and addressing The Commission on Veterans' Affairs hopes in its last two years of activity to have at least made a beginning upon which it can build in future years.

Respectfully submitted,

George E. Simmons, Sr. (Chairman)
Robert B. Laurents (Vice Chairman)
Warren E. Barry
William E. Fears
Donald A. McGlothlin, Sr.
Claude V. Swanson
Charles L. Waddell

APPENDIX I.

RECOMMENDED LEGISLATION

A BILL to amend and reenact § 17-92 of the Code of Virginia, to permit recordation by circuit court clerks of certain evidence of discharge from the armed forces.

Be it enacted by the General Assembly of Virginia:

1. That § 17-92 of the Code of Virginia is amended and reenacted as follows:

§ 17-92. Recordation of evidence of discharge generally.—The clerk of every circuit ~~or corporation~~ court ; ~~or other court in which deeds are required to be recorded~~, shall, upon presentation, record, free of charge, *either the discharge certificate or the report of separation from active duty (Department of Defense Document DD-214), or both*, of any veteran of any war in which the United States has been engaged.

A BILL to amend and reenact § 58-760.1 of the Code of Virginia, relating to the exemption of the property of certain elderly and handicapped persons from local real property taxation.

Be it enacted by the General Assembly of Virginia:

1. That § 58-760.1 of the Code of Virginia is amended and reenacted as follows:

§ 58-760.1. Exemption of or deferral of taxes on property of certain elderly and handicapped persons.—(a) The governing body of any county, city or town may, by ordinance, provide for the exemption from, deferral of, or a combination program of exemption from and deferral of taxation of real estate, or any portion thereof, and upon such conditions and in such amount as the ordinance may prescribe, owned by, and occupied as the sole dwelling of a person or persons not less than sixty-five years of age, and may also provide the same exemption or deferral for such property of a person who is determined to be permanently and totally disabled as defined in subsection (e) of this section. A dwelling jointly held by a husband and wife may qualify if either spouse is over sixty-five. Such exemption or deferral program shall be subject to the following restrictions and conditions:

(1) That the total combined income during the immediately preceding calendar year ~~from all sources~~ of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed twelve thousand dollars, provided that the first four thousand dollars of income of each relative, other than spouse, of the owner, or owners, who is living in the dwelling shall not be included in such total, and further provided that the county, city or town may by ordinance specify lower income figures. Provided, however, that the governing body of any county, city, or town may (i) increase the total combined income limitation to thirteen thousand dollars if the ordinance provides that the amount of such exemption or deferral shall be reduced by the amount that such combined income exceeds twelve thousand dollars and (ii) increase the total combined income limitation to fifteen thousand dollars if such county, city or town has a combined program of exemptions and deferrals and such program provides for a deferral of real estate taxes on any person or persons whose total combined income levels exceed twelve thousand dollars. *For the purposes of this paragraph, income shall mean federal adjusted gross income as defined in § 62 of the Internal Revenue Code of 1954, as amended.*

(1a) That the net combined financial worth, including equitable interests, as of the thirty-first day of December of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated does not exceed fifty thousand dollars; provided, however, that the county, city or town ordinance may specify lower net worth figures.

(2) That the person or persons claiming such exemption shall file annually with the commissioner of revenue of the county or city or town assessing officer or such other officer as may be designated by the governing body in which such dwelling lies, on forms to be supplied by the county, city or town concerned, an affidavit setting forth the names of the related persons occupying such real estate; that the total combined net worth, including equitable interests and the combined income from all sources, of the person or persons as specified in paragraph (1) above does not exceed the limits prescribed in such ordinance. Provided, however, in lieu of the annual affidavit filing requirement, a city or county may prescribe by ordinance for the filing of the affidavit on a three-year cycle with an annual certification by the taxpayer that no information contained on the last preceding affidavit filed has changed to violate the limitations and conditions provided herein. If such person is under sixty-five years of age such form shall have attached thereto a certification by the Social Security Administration, the Veteran's Administration, or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors licensed to practice medicine in the Commonwealth, to the effect that such person is permanently and totally disabled, as defined in subsection (e). The affidavit of at least one of such doctors shall be based upon a physical examination of such person by such doctor. The affidavit of one of such doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability as defined in subsection (e). Such affidavit or certification shall be filed after the first day of January of each year, but before the first day of April, or such later date as may be fixed by ordinance. Such ordinance may include a procedure for late filing by first-time applicants or in hardship cases. The commissioner of revenue

or town assessing officer or such other officer as may be designated by the governing body of the county, city or town shall also make such further inquiry of persons seeking such exemption, requiring answers under oath, as may be reasonably necessary to determine qualifications therefor as specified herein, including qualification as permanently and totally disabled as defined in subsection (e), or as specified by county, city or town ordinance. The local governing body may, in addition, require the production of certified tax returns to establish the income or financial worth of any applicant for tax relief or deferral.

(3) The fact that persons who are otherwise qualified for tax exemption or deferral by an ordinance promulgated pursuant to this section are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption or deferral is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

(b) Such exemption or deferral may be granted for any year following the date that the head of the household occupying such dwelling and owning title or partial title thereto reaches the age of sixty-five years or for any year following the date the disability occurred. Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided herein or by county, city or town ordinance shall nullify any exemption or deferral for the then current taxable year and the taxable year immediately following; provided, however, such ordinance may provide that a change in ownership to a spouse less than sixty-five years of age which resulted solely from the death of his or her qualified spouse shall result in a prorated exemption or deferral for the then current taxable year. Such prorated portion shall be determined by multiplying the amount of the exemption or deferral by a fraction wherein the number of complete months of the year such property was properly eligible for such exemption or deferral is the numerator and the number twelve is the denominator.

(c) In the event of a deferral of real estate taxes granted by ordinance, the accumulated amount of taxes deferred shall be paid, without penalty except that any ordinance establishing a combined program of exemptions and deferrals, or deferrals only, may provide for interest not exceeding eight per centum per annum on any amount so deferred, to the county, city or town concerned by the vendor upon the sale of the dwelling, or from the estate of the decedent within one year after the death of the last owner thereof who qualifies for tax deferral by the provisions of this section and by the county, city or town ordinance. Such deferred real estate taxes shall constitute a lien upon the said real estate as if they had been assessed without regard to the deferral permitted by this section; provided, however, that such liens shall, to the extent that they exceed in the aggregate ten per centum of the price for which such real estate may be sold, be inferior to all other liens of record.

(d) The General Assembly hereby deems those persons falling within the limitations and conditions provided in paragraphs (a) and (b) of this section to be bearing an extraordinary tax burden on the real estate described herein in relation to their income and financial worth.

(e) For purposes of this section, the term "permanently and totally disabled" shall mean unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

(f) For purposes of this section and Article X, § 6 (b) of the Constitution, a mobile home shall be real estate if the owner's intention that it be permanently affixed is shown by the facts that (1) it is located on land belonging in whole or in part to the owner of the mobile home, his spouse, parent or child, and is connected to permanent water or sewage lines or facilities; or (2) whether or not it is located on land belonging to persons described in subsection (1), it rests on a permanent foundation, and consists of two or more mobile units which are connected in such a manner that they cannot be towed together on a highway, or consists of a mobile unit and other connected rooms or additions which must be removed before the mobile unit can be towed on a highway.

SENATE JOINT RESOLUTION NO.....

Requesting the Department of Health and the Adjutant General's Office jointly to conduct a study of the location and financing of a State Veterans' Home or Homes.

WHEREAS, approximately 659,000 persons now residing in Virginia are veterans of the United States armed forces; and

WHEREAS, nearly 273,000 of these persons are veterans of World War II alone; and

WHEREAS, the number of World War II veterans both in the United States and in Virginia far exceeds the number of veterans of any of this country's earlier wars; and

WHEREAS, the average age of these veterans is growing ever older and, consequently, the likelihood of their requiring medical attention is ever increasing; and

WHEREAS, a considerable number of these veterans find themselves in situations where neither they nor their families are able to provide for their medical and related needs; and

WHEREAS, the United States Veterans' Administration's facilities are scarcely able, now, to meet the needs of veterans presently requiring such services; and

WHEREAS, the gap between veteran needs and services available through the Veterans Administration is expected to grow, rather than diminish, over time; and

WHEREAS, there presently exist in other states a number of veterans' homes operated by those states for their resident veterans; and

WHEREAS, there also exist federal programs which can assist states in the acquisition or construction and operation of State facilities for meeting the medical and associated needs of Virginia's veterans; and

WHEREAS, the timely development of a State Veterans' Home or Homes could, potentially, save the State considerable sums in welfare payments, and spare Virginia veterans an immeasurable amount of physical and mental hardship; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the State Department of Health and the State Adjutant General's Office are requested to study the possibility of the establishment in the Commonwealth of a State Veterans' Home or Homes. Such study should include, but not necessarily be confined to, the number and size of required facilities, their most appropriate location, the volume of federal financial assistance potentially available to establish and operate such home(s), and the actions necessary on the part of the Commonwealth to obtain such funds. Upon completion of their joint study, the Department of Health and Adjutant General's Office shall report their findings and recommendations to the Governor and General Assembly.

A BILL to amend the Code of Virginia by adding a section numbered 60.1-36.1, authorizing the Virginia Employment Commission to inform the public of its services.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 60.1-36.1 as follows:

§ 60.1-36.1. Informing public of services offered.—Notwithstanding the provisions of Chapter 16.1 (§ 22-344.5 et seq.) of Title 22 of the Code of Virginia, the Commission, subject only to the supervision of the Secretary of Human Resources, shall have the authority to use any method of telecommunications as a necessary means of acquainting and familiarizing the public with any services offered by the Commission.

SENATE JOINT RESOLUTION NO.....

Commending the Division of War Veterans' Claims.

WHEREAS, the 1945 General Assembly authorized the Attorney General to establish offices of the Division of War Veterans' Claims to aid Virginia veterans to obtain the benefit of their rights and privileges under laws enacted for their benefit; and

WHEREAS, since such time, the Division of War Veterans' Claims has assisted Virginia's veterans in applying for and obtaining many kinds of benefits and privileges provided for them by law; and

WHEREAS, the Division of War Veterans' Claims has proved to be, in many cases, not only the only means by which Virginia veterans can obtain information about programs available for their benefit, but also the only source of practical assistance to them in actually obtaining benefits to which they are entitled; and

WHEREAS, the Division of War Veterans' Claims is unique among State agencies in that it is able to bring into the Commonwealth, as benefits to Virginia veterans, sums of money greater than its operating budget; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegate concurring, That the Director and personnel of the Virginia Division of War Veterans' Claims are hereby commended for their service to the veterans of the Commonwealth; and, be it

RESOLVED FURTHER, That the Clerk of the Senate is hereby instructed to prepare a suitable copy of this resolution for presentation to the Honorable Harry F. Carper, Jr., Director of the Division of War Veterans' Claims, in token of the appreciation of this body for his efforts, and those of the personnel of the Division, on behalf of Virginia's veterans.

A BILL to amend the Code of Virginia by adding a section numbered 46.1-105.8, to provide special license plates to persons awarded the Medal of Honor; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 46.1-105.8 as follows:

§ 46.1-105.8. Special license plates for persons awarded the Medal of Honor; penalty.—A. Upon receipt of an application of a form prescribed by the Commissioner and receipt of written confirmation from one of the armed services that such applicant has been awarded the Medal of Honor, the Commissioner shall issue metal license plates bearing the letters “MOH” followed by no more than three digits. Issuance of such license plates shall be limited to passenger vehicles and pickup or panel trucks as defined in § 46.1-1. No other State license plates shall be required on any such vehicle. No fee shall be charged for the issuance of such license plates.

B. Any person who is not a person described in subsection A. of this section, and who willfully and falsely represents himself as having the qualifications to obtain the special license plates herein provided for, shall be guilty of a traffic infraction and shall be punishable as provided in § 46.1-16.01.

SENATE JOINT RESOLUTION NO.....

Requesting a Joint Subcommittee of the Senate and House of Delegates Committees on Finance to study the desirability and feasibility of granting tax relief to retired members of the armed forces of the United States.

WHEREAS, of the fifty states, the Commonwealth of Virginia has the fourth largest population of military retirees; and

WHEREAS, the vast majority of military retirees, upon retirement, begin second careers; and

WHEREAS, military retirees living in Virginia have fewer school-age children than the State-wide average, thus imposing a smaller-than-average demand upon the public education system; and

WHEREAS, military retirees in Virginia play important economic and civic roles in the communities in which they settle; and

WHEREAS, the second careers begun in Virginia by military retirees generate for the Commonwealth considerable income tax revenues; and

WHEREAS, it is highly desirable for the Commonwealth to provide reasonable incentives to military retirees to settle permanently here upon the termination of their military careers; and

WHEREAS, from 1968 through 1976 the laws of Virginia provided for certain State income tax exemptions for military retirees in Virginia; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the Committees on Finance of the Senate and House of Delegates are hereby requested to form a joint subcommittee composed of three members of the Senate Committee on Finance appointed by the Chairman thereof, and four members of the House Committee on Finance, appointed by the Chairman thereof, to study the desirability and feasibility of providing tax exemption, tax credit, or other similar tax benefits to military retirees living in Virginia. The Joint Subcommittee is requested to present its finding and recommendations, including suggested legislation, to the Governor and General Assembly prior to the nineteen hundred eighty-one session of the General Assembly.

SENATE JOINT RESOLUTION NO.....

Calling upon the Governor and the Division of War Veterans' Claims to take such steps as may be necessary to permit Virginia's participation in federal aid to State veteran's cemeteries under Public Law 95-476.

WHEREAS, the General Assembly of Virginia has repeatedly called to the attention of the Congress of the United States the need in Virginia for additional facilities for the burial of deceased Virginia military veterans; and

WHEREAS, Congress has not acted affirmatively on this body's request for the creation of additional national cemeteries in the Commonwealth; and

WHEREAS, Congress has, through the passage of Public Law 95-476 provided a mechanism by which states may qualify for federal financial assistance in the creation of state veterans' cemeteries; and

WHEREAS, it is the sense of the General Assembly that the participation of the Commonwealth in this program meets a real need in Virginia; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the General Assembly hereby calls upon the Governor and the Division of War Veterans' Claims to take such steps as may be necessary to permit Virginia's participation in federal aid to State veterans' cemeteries under the provisions of Public Law 95-476. The Governor and the Division of War Veterans' claims are further requested to present to the General Assembly for its consideration such items of legislation as may be required to permit Virginia's participation in this program.

APPENDIX II.

Current Commission Members and Staff

George E. Simmons, Sr. (Chairman)

Robert B. Laurents (Vice-Chairman)

Warren E. Barry

William E. Fears

Donald A. McGlothlin, Jr.

Claude V. Swanson

Charles L. Waddell

Commission Staff

(Division of Legislative Services)

Alan B. Wambold

Oscar R. Brinson, III

E. Gayle Nowell

