

**REPORT OF THE
COMMISSION ON VETERANS' AFFAIRS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



House Document No. 21

**COMMONWEALTH OF VIRGINIA
RICHMOND
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Summary

During its 1985 Session, the Virginia General Assembly passed House Bill No. 1359 (sponsored by Delegate Floyd C. Bagley of Prince William County, Chairman of the Commission), which was signed into law by Governor Robb as Chapter 571 of the 1985 Acts of Assembly. This brought one step nearer reality the creation of a state veterans' home and state veterans' cemetery by providing (i) that, when created, such facilities would be controlled and operated by the Division of War Veterans' Claims, and (ii) that the Commission on Veterans' Affairs should make recommendations on a site or sites for such facilities. (A copy of this legislation is included in this report as Appendix IV.) It is not surprising, then, that the creation of a state veterans' cemetery and a state veterans' home dominated the Commission's work in 1984-85 much as the need for a state veterans' cemetery dominated the Commission's work in 1981-82. (See House Document No. 10 of 1982.) However, many other needs and issues were brought to the Commission's attention during these two years, and the matters considered by the group were far ranging.

The Commission sought to discharge its statutory obligation to ascertain the needs of the veterans of Virginia by holding eight public hearing at various locations across the Commonwealth in the course of the biennium. In the course of these hearings, several hundred individual veterans, representatives of veterans' organizations, state and local governmental officials, and concerned citizens appeared before the Commission. Most notable among those testifying before the Commission was Mr. William G. Broaddus, Attorney General of Virginia. The Commission's staff also received considerable correspondence in support of suggestions made at the public hearings.

The proposals and suggestions made in the hearings and through correspondence were compiled by the Commission's staff into thirty-three items, ranging from very broad-based expressions of the need for greater action by the Commonwealth on behalf of its veterans to specific, detailed proposals for legislative action by the General Assembly.

After reviewing these items, the Commission concluded that very many veterans' needs continue to go unmet, and that some actions, omissions, and policies of the Commonwealth and its local governments are either derogatory to veterans or are detrimental to veterans' best interests. The Commission felt it prudent to postpone action on those matters of relatively lesser importance and concentrate, instead, on obtaining the General Assembly's approval of proposals which represent truly vital needs for Virginia's veterans. *Chief among these vital needs is the creation of a state veterans' cemetery.* Draft legislation to address urgent veteran needs, other than the creation of a state veterans' cemetery, is included in this report as Appendices I-III.

House Bill No. 1359 had specifically directed the Commission to consider three potential sites for a state veterans' home and a state veterans' cemetery, one in Richmond city, one in Dinwiddie County, and one in Louisa County. The Commission considered all three of these sites and found all of them to be unsuitable for either purpose. The Commission considered, additionally, sites in Amelia County and Buckingham County as possible locations for state veterans' cemeteries, and the Commission recommends that the General Assembly appropriate sufficient funds to acquire the "Sharp Farm" property in Amelia County for use as Virginia's first state veterans' cemetery. The Commission also urges the General Assembly to appropriate to the Division of War Veterans' Claims sufficient funds to enable the Division to begin site selection and facility design work necessary to prepare for the creation of a state veterans' home.

Findings and Recommendations

1. **CREATION OF A STATE VETERANS' CEMETERY.** The first concrete step toward creation of a state veterans' cemetery was taken by the General Assembly in 1985, when it passed House Bill No. 1359 (sponsored by Delegate Floyd C. Bagley of Prince William County, Chairman of the Commission), which was signed into law by Governor Robb as Chapter 571 of the 1985 Acts of Assembly. This measure provided: (i) that, when created, such facilities would be controlled and operated by the Division of War Veterans' Claims, and (ii) that the Commission on Veterans' Affairs should make recommendations on a site or sites for such facilities. (A copy of this legislation is included in this report as Appendix IV.) However, the new law did not specifically create a cemetery, nor did the 1985 Session of the General Assembly appropriate any funds for site acquisition, planning, or any other start-up costs. The Commission was able to satisfy itself that none of the sites suggested in House Bill No. 1359 was suitable for use as a cemetery. However, with the cooperation of local government officials, the Commission was able to find a suitable state veterans' cemetery site in Amelia County. The Commission recommends that the Commonwealth, through the Division of War Veterans' Claims, in conformity with provisions of federal law permitting federal financial participation in the undertaking, begin construction and operation of a state veterans' cemetery by appropriating, to the Division of War Veterans' Claims, \$1.5 million for acquisition of the "Sharp Farm" site in Amelia County, with an initial fifty acres to be developed. The need for a state veterans' cemetery is urgent – and will grow ever more urgent. Virginia has done pathetically little for her veterans. Nineteen states currently have state veterans' cemeteries. Virginia does not. It is time for Virginia to act now, while federal funds are still available to help to meet this crucial need.

2. **CREATION OF A STATE VETERANS' HOME.** While concentrating on the creation of a state veterans' cemetery as a first priority, the Commonwealth must act now to begin work on a state veterans' domiciliary facility. As a minimal first step, the General Assembly should appropriate \$250,000 to the Division of War Veterans' Claims to begin site selection and design work in connection with the creation of such a facility.

3. **FREE COPIES OF VITAL RECORDS.** Until 1983, the Commonwealth provided copies of such documents as birth certificates and death certificates free of charge to veterans. In that year, state law was amended to provide for the imposition of uniform charges for all vital statistics records to all persons, and the Health Department began charging five dollars for each copy of each record it furnished. Sometimes charges for copies of a single individual's records now total as much as \$100. This is an insupportable burden both upon veterans and upon the surviving dependents of veterans. The Commission recommends that veterans and their surviving spouses and other dependents be allowed to receive, free of charge, copies of any state-maintained records they may need to establish their eligibility for federal or other veterans' benefits. The loss of revenue to the Commonwealth would be negligible, compared to the burden which payment of these fees places on individual veterans and their families. (Legislation to make the necessary changes in state law is enclosed in this report in Appendix I.)

4. **UNEMPLOYMENT COMPENSATION SET-OFFS.** For several years persons who otherwise qualified for unemployment compensation payments from the Commonwealth have had the amount of these payments reduced by the amount of retirement, disability, or other payments made to them by the federal government. Although this procedure was once required by federal law, this is no longer the case. Nevertheless, Virginia still makes these reductions. Continuation of this procedure is unjust both to the veteran whose benefits are cut and also to the veteran's employer. This set-off policy should be terminated promptly. The once-valid argument that the Commonwealth's unemployment trust fund was nearly depleted is no longer sustainable, since trust fund balances have increased substantially in recent years. (Legislation to eliminate this situation is contained in Appendix II of this report.)

Commission Activities and Issues, 1984-85

Increasing attendance at its meetings (the Commission's November 13, 1985, hearing drew a crowd of more than 100 persons) and the expanding volume of its correspondence show that the Commission's activities are beginning to overcome the results of its inactivity between 1975 and 1978. The prolonged dormancy of the Commission between 1976, when its report was presented in House Document No. 18, and 1980, when its report was presented in House Document No. 28, had rendered the Commission almost unknown to the Commonwealth's veterans and veterans' organizations. Now, however, veterans, both individually and through group spokesmen, are using the Commission as a vehicle to bring their needs and concerns to the General Assembly.

In the course of 1984-85 the Commission conducted eight public hearings (an increase over the six public hearings held in 1982-83) in Melfa, Danville, Alexandria, Charlottesville, Marion, Harrisonburg, Fairfax, and Richmond. The hearings were, by and large, well attended by veterans, representatives of veterans' organizations, government officials, including Mr. William G. Broaddus, Attorney General of Virginia, and other interested persons. The proposals and suggestions made in the hearings and through correspondence were compiled by the Commission's staff into thirty-three items, ranging from very broad-based expressions of the need for greater action by the Commonwealth on behalf of its veterans to specific, detailed proposals for legislative action by the General Assembly.

After reviewing these items, the Commission concluded that very many veterans' needs have continued to go unmet, and that some actions, omissions, and policies of the Commonwealth and its local governments have been either derogatory to veterans or detrimental to veterans' best interests. The Commission feels it prudent to postpone action on those matters of relatively lesser importance and concentrate, instead, on obtaining the General Assembly's approval of proposals which represent truly vital needs for Virginia's veterans. *Chief among these vital needs is the creation of a state veterans' cemetery.*

CREATION OF A STATE VETERANS' CEMETERY. The issue of the creation of a state veterans' cemetery has been before the Virginia General Assembly since 1980. In its report of that year (House Document No. 28), the Commission on Veterans' Affairs called 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 Public Law 95-476." Legislation embodying this proposal (Senate Joint Resolution No. 2) was offered that year by Senator Joseph T. Fitzpatrick of Norfolk. However, in the course of its consideration by the General Assembly, the measure was amended to return the issue to the Commission on Veterans' Affairs for further study.

The need for a state veterans' cemetery was brought before the General Assembly by the Commission again in its 1982 report (House Document No. 10, 1982). In accord with the Commission's recommendations, legislation (Senate Bill No. 25) was introduced in the 1982 General Assembly by Senator William E. Fears of Accomac, a member of the Commission (cosponsored by Senators C. J. Colgan, C. L. DuVal, C. L. Waddell, J. T. Fitzpatrick, R. J. Holland, L. D. Wilder and D. W. Bird, and Delegates D. A. McGlothlin and W. E. Barry), to create a state veterans' cemetery (under the Division of State Parks) and to appropriate \$1.5 million for site acquisition, preparation, and development for the first year of the 1982-83 biennium. The bill was defeated in the Senate Finance Committee. Having twice failed to obtain passage of specific veterans' cemetery legislation by the General Assembly, the Commission, in its 1984 report (House Document No. 18) made no legislative recommendation on the matter of a state veterans' cemetery, but continued "...to fully endorse the concept of a state veterans' cemetery or cemeteries."

The first concrete step toward creation of a state veterans' cemetery was taken by the General Assembly in 1985, when it passed House Bill No. 1359 (sponsored by Delegate Floyd C. Bagley of Prince William County, Chairman of the Commission), which was signed into law by Governor Robb as Chapter 571 of the 1985 Acts of Assembly. This measure provided: (i) that, when created, such facilities would be controlled and operated by the Division of War Veterans' Claims, and (ii) that the Commission on Veterans' Affairs should make recommendations on a site

or sites for such facilities. (A copy of this legislation is included in this report as Appendix IV.) However, the new law did not specifically create a cemetery, nor did the 1985 Session of the General Assembly appropriate any funds for the site acquisition, planning, or any other start-up costs.

In attempting to fulfill its obligations under the law to make recommendations as a cemetery site, the Commission and its staff had several advantages, but also suffered from several handicaps. The Commission's staff and its Cemetery Site Selection Subcommittee (chaired by Delegate Gwendalyn F. Cody of Annandale) had the advantage of the assistance of several state agencies (among them, not only the Division of War Veterans' Claims, but also the Department of Mental Health and Mental Retardation, the Department of Highways and Transportation, and the Department of Corrections), several localities (most notably Amelia and Louisa Counties), several statewide veterans' organizations, the Buckingham County Industrial Development Corporation, and the firms of Hankins and Anderson, consulting engineers, and Ben R. Johns, architect. However, the Commission suffered from a lack of its own detailed engineering and architectural expertise and from a lack of authority to negotiate as to terms under which holders of property suitable for use as a cemetery would be willing to make that property available to the Commonwealth. The Commission also suffered from a lack of clear commitment by the General Assembly to actually create any state veterans' cemetery at any location.

Given these facts, though, the Commission was able to satisfy itself that none of the sites suggested in House Bill No. 1359 was suitable for use as a cemetery. It was felt that, though the McGuire Hospital site could, possibly, be of use as the core of a state veterans' home, the property would not likely be available for that purpose because of existing plans of the Veterans' Administration to demolish the facilities to provide for additional parking space. Local opposition to construction of a state veterans' cemetery at Green Springs, reservation on the part of the US Department of the Interior to placing a state veterans' cemetery in a designated historic area, the proximity of Green Springs to the National Cemeteries at Culpeper and Quantico, and the presence of certain clay soils at the Green Springs location persuaded the Commission not to recommend that site for a state veterans' cemetery. Lastly, the fact that the Dinwiddie property's location on the grounds of the Central State Hospital prompted the Commission to reject that location for either a veterans' cemetery or a veterans' home.

However, with the cooperation of local government officials, the Commission was able to find a suitable state veterans' cemetery site in Amelia County. The Commission recommends that the Commonwealth begin construction and operation of a state veterans' cemetery through the appropriation to the Division of War Veterans' Claims of \$1.5 million for acquisition and development of the initial phase of the "Sharp Farm" site in Amelia County. (See December 18, 1985, letter from Amelia County formally offering the site for \$85,000. This has been included in this report as Appendix V. Federal law, *which expires in 1989*, provides for the payment of 50% of expenditures made by the states in site acquisition and start-up costs. Thus, for an initial outlay of as little as \$45,000 per acre, Virginia could acquire as much as 100 acres of land, and develop and operate the first fifty acres as a state veterans' cemetery. If one deducts ten of those initial fifty acres for use as streets, and for sites of administration and service buildings and similar amenities, forty acres would remain as actual burial sites. Allowing for 1,000 burial sites per acre, this would permit the interment of 40,000 veterans in an initial phase development. Under current federal law, the Commonwealth would receive \$150 for the interment of each veteran. Experience in the state of Maryland leads the Commission to conclude that these payments would very nearly cover the costs to the Commonwealth of each interment. The acquisition and operation of a \$4.5 million facility, thus, would cost the Commonwealth only about \$1.5 million.

The Commission strongly recommends that the Commonwealth acquire the Amelia County property for a state veterans' cemetery.

The \$1.5 million figure is truly minimal when one compares what Virginia is currently spending for its veterans with what other states are spending for their veterans. Presently Virginia is spending about \$1.6 million per year on veterans' programs. Given the approximately 832,000 veterans living in the Commonwealth, this amounts to only \$1.92 per year per living veteran. By contrast, Maryland is spending \$20 million per year on veterans' programs (\$5.63 per each of Maryland's 532,700 living veterans), North Carolina is spending \$2 million (\$3.05 for each of 656,000 veterans), Pennsylvania is spending \$16 million (\$10.23 for each of 1,546,100

veterans), California is spending \$32 million (\$10.90 for each of 2,936,000 veterans), and Massachusetts is spending \$20 million (\$28.61 for each of 699,000 veterans). Even West Virginia and Arkansas, states which certainly are not as prosperous as Virginia, are spending more than ten times per veteran what Virginia is spending.

The US Veterans Administration estimates that 408,600 of the 27,947,000 veterans living in the United States at the beginning of 1985 will have died by the end of the year, a ratio of one and one-half deaths per one hundred veterans. In Virginia, 9,200 are expected to have died in 1985. As the veteran population grows older, these rates will increase. The need for a state veterans' cemetery is urgent – and will grow ever more urgent. Virginia has done pathetically little for her veterans. While nineteen states have state veterans' cemeteries, Virginia is not among them. It is time for Virginia to act now, while federal funds are still available to meet this crucial need.

Of the 832,000 war veterans residing in the Commonwealth, representatives of 125,000 members of organized Veterans' Groups such as American Legion, Veterans of Foreign Wars, Disabled American Veterans, Vietnam Veterans of America, American Veterans of World War II, American ex-Prisoners of War, Inc., Marine Corps League, Fleet Reserve Association, Veterans of World War I, Retired Officers' Association, American Gold Star Mothers, Inc. and others, as well as their ladies' auxiliaries, appeared before the Commission at a public hearing at the Capitol on November 13, 1985, along with the Attorney General of Virginia, Mr. William G. Broaddus. The consensus was overwhelming and unanimous in support of the creation of a state veterans' cemetery.

This group constitutes representatives of approximately 437,000 resident veterans and their immediate families in support of the creation of a state veterans cemetery.

Notably, Mr. Ernest B. Glynn, a professional engineer and Legislative Chairman of the State VFW Legislative Committee, delivered and submitted a very strong proposal regarding the urgent need for a state veterans' cemetery and domiciliary home for Virginia's aging veterans, emphasizing that the cost to the Commonwealth initially is minimal when available federal funds are immediately available to the Commonwealth upon appropriation of necessary funds to the Division of War Veterans' Claims as recommended herein under this Commission's authority granted by the Code of Virginia, § 9-86, as amended. (Please see Appendix IV.)

Additionally, attached hereto as Appendix VI, is a letter addressed to Mr. Glynn from Governor Charles S. Robb to the effect that he shares our interest in "seeing that the Commonwealth of Virginia treats the veterans residing here equitably."

CREATION OF A STATE VETERANS' HOME. While concentrating on the creation of a state veterans' cemetery as a first priority, the Commonwealth must act now to begin work on a state veterans' domiciliary facility. As a minimal first step, the General Assembly should appropriate to the Division of War Veterans' Claims \$250,000 to begin site selection and design work in connection with the creation of such a facility. Necessary legislation to obtain federal funds by application to the Veterans' Administration for state cemetery and state home grants is attached as Appendix III.

FREE COPIES OF VITAL RECORDS. Until 1983, the Commonwealth provided copies of such documents as birth certificates and death certificates free of charge to veterans. In that year, state law was amended to provide for the imposition of uniform charges for all vital statistics records to all persons. Veterans and, in the case of deceased veterans, their surviving spouses or dependents, need a variety of state-maintained records in order to establish their eligibility for a number of federal and other benefits. These records are, typically, birth certificates, marriage certificates, and death certificates. While current law (§ 32.1-273) provides that the *maximum* fee for each copy is to be five dollars, no fees less than that amount are charged in practice.

Given the number of records and number of copies of each record that are often required by the US Veterans Administration and other governmental agencies to process claims of veterans and their surviving spouses and other dependents, the cost to an individual veteran to obtain a federal or other benefit can be considerable. It is reported that total charges by the Health Department for copies of these records sometimes reach as high as \$100 for an

individual. This is an insupportable burden to place upon persons whose service to their country has earned them not only the benefits for which they seek to qualify, but the simple gratitude of the country and people they have served as well. This burden is doubly unjustified in the case of surviving spouses and other dependents whose financial resources very well may be stretched to the limit by the death of the primary benefit recipient. The Commission recommends that state law be amended to allow veterans and their surviving spouses and other dependents to receive, free of charge, copies of any state-maintained records they may need to establish their eligibility for federal or other veterans' benefits. The loss of revenue to the Commonwealth would be negligible, compared to the burden which payment of these fees places on individual veterans and their families. This matter is not one of economics, but one of simple fairness and elemental decency. (Legislation to make the necessary changes in state law is enclosed in this report as Appendix I.)

UNEMPLOYMENT COMPENSATION SET-OFFS. For several years persons who otherwise qualified for unemployment compensation payments from the Commonwealth have had the amount of those payments reduced by the amount of retirement, disability, or other payments made to them by the federal government. While this procedure was once forced upon Virginia by federal law, that federal law has since been repealed. Nevertheless, Virginia still makes these reductions. Testimony before the Commission asserted that Virginia was one of only two states that still employ this set-off mechanism. Continuation of this procedure constitutes a two-fold injustice: it is both unjust to the veteran whose benefits are cut (while those of other unemployed persons receiving, for example, retirement benefits from earlier employment in the private sector are not), and also to the veteran's employer (who pays the cost of the unemployment insurance for the veteran, even though the veteran is unable to collect his full – if any – benefits under the unemployment insurance program). The effect of this set-off program is to violate what is, in effect, an insurance policy issued by the Commonwealth to cover workers, with "premiums" paid by Virginia employers. Simple equity demands that this set-off policy be terminated promptly. Whatever arguments could hitherto be adduced to the effect that the Commonwealth's unemployment trust fund was so depleted as to be unable to bear the additional payouts, are no longer sustainable, since the trust fund balances have been brought up to adequate levels in recent years. (Legislation to eliminate this situation is contained in Appendix II of this report.)

BENEFITS OF FORMER PRISONERS OF WAR. Owing in large measure to the failure of the enemy to maintain medical records meeting the standards of the US Veterans Administration, American service persons who had the misfortune to be taken prisoner by the enemy have long had difficulties in establishing their eligibility for medical and other veterans' benefits otherwise available from the federal government. Legislation now before the Congress would go a long way in making it easier for these former prisoners of war to qualify for these benefits. Accordingly, the Commission, through letter from the Chairman to the Virginia Congressional delegation and to the presiding officers of both houses of the Congress, has expressed its unanimous support for passage of this legislation (HR 864 and S 1446). While the Commission is not recommending any further action in this matter by the General Assembly, it would heartily welcome any further support of this legislation which individual members of the General Assembly, veterans' organizations, or concerned Virginians would like to offer to Congress.

STATE LOTTERY. Strictly speaking, the matter of a state lottery is not a "veterans' issue," and, accordingly, the Commission has not taken a position on the issue, and has no recommendation on it to offer to the General Assembly. However, since several speakers representing veterans' posts and organizations across the Commonwealth appeared before the Commission in support of a state lottery as a mechanism to fund an expanded state program of veterans' benefits, the Commission felt obligated to communicate to the General Assembly the broad support which establishment of a state lottery has among the veterans and veterans' organizations of Virginia.

Respectfully submitted,

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Floyd C. Bagley (Chairman)

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William L. McCauley (Vice Chairman)

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Gwendalyn F. Cody

.....

C. Ray Edmonds

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Raymond Evans, Jr.

.....

William E. Fears

.....

Donald A. McGlothlin, Sr.

.....

Ewin A. Ottinger

.....

Claude V. Swanson

.....

Charles L. Waddell

Appendix I

SENATE BILL NO. HOUSE BILL NO.

A BILL to amend and reenact § 32.1-273 of the Code of Virginia, relating to fees for obtaining vital statistics records.

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-273 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-273. Fees for certified copies, searches of files, etc.; disposition.—A. The Board shall prescribe the fee, not to exceed five dollars, for a certified copy of a vital record or for a search of the files or records when no copy is made and may establish a reasonable fee schedule related to its cost for information or other data provided for research, statistical or administrative purposes. *Whenever any veteran or his survivor shows proof of the veteran's military service (DD Form 214) and evidence satisfactory to the Commissioner or his agent that a certified copy of a vital record is necessary for the veteran or his survivor to obtain any type of service-connected benefit, the veteran or his survivor shall be entitled to one copy of the record free of charge.*

B. Fees collected under this section by the State Registrar shall be transmitted to the Comptroller for deposit. Two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller into the Vital Statistics Automation Fund established pursuant to § 32.1-273.1 for so long as shall be authorized. The remainder shall be deposited into the general fund of the state treasury. When the Vital Statistics Automation System is completed, no further deposits into the fund shall be made and all fees collected under this section shall be deposited into the general fund of the state treasury.

C. Fees collected under this section by county and city registrars shall be deposited in the general fund of the county or city except that counties or cities operating health departments pursuant to the provisions of § 32.1-31 shall forward all such fees to the Department for deposit in the cooperative local health services fund.

Appendix II

SENATE BILL NO. HOUSE BILL NO.

A BILL to amend and reenact § 60.1-48.1 of the Code of Virginia, relating to unemployment benefit setoffs.

Be it enacted by the General Assembly of Virginia:

1. That § 60.1-48.1 of the Code of Virginia is amended and reenacted as follows:

§ 60.1-48.1. Reduction of benefit amount by amount of pension.—The weekly benefit amount payable to an individual for any week which begins after September 30, 1979, and which begins in a period with respect to which such individual is receiving a governmental or other pension, retirement or retired pay, annuity, or any other similar periodic payment *under a plan maintained or contributed to by a base period employer or chargeable employer* which is based on the previous work of such individual, including payments received by such individual in accordance with §§ 65.1-54 or 65.1-55 of the Code of Virginia, shall be reduced $\left(\right.$, but not below zero $\left. \right)$, by an amount equal to the amount of such pension, retirement or retired pay, annuity, or other payment, which is reasonably attributable to such week.

Appendix III

SENATE BILL NO. HOUSE BILL NO.

A BILL to amend and reenact §§ 2.1-129 and 9-86 of the Code of Virginia, relating to the Commission on Veterans' Affairs, the Division of War Veterans' Claims, and the creation of state veterans' cemeteries and homes.

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-129 and 9-86 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-129. Division of War Veterans' Claims.—The Attorney General is hereby authorized, with the approval of the Governor, to establish, equip and operate such offices for a Division of War Veterans' Claims as may be necessary and desirable to render adequate assistance to veterans of the armed forces of the United States, their widows, orphans and dependents, domiciled in Virginia, in matters of rehabilitation and in the preparation, presentation and prosecution of all lawful claims by, or on behalf of, such veterans, their widows, orphans and dependents, to obtain the benefit of their rights and privileges under various federal, state and local laws enacted for their benefit. For these purposes the Attorney General is authorized to employ such personnel as may, in his judgment, be necessary for the proper operation of such offices and for the proper discharge of the duties and functions of such Division; the compensation of such personnel to be determined by the Attorney General with the written approval of the Governor.

Such offices shall be so located as to render the service of the Division conveniently available to such veterans, their widows, orphans and dependents. Appropriate areas shall be assigned from time to time for each office. The various localities in each such area shall be visited by a representative attached to such office, at such intervals as may be necessary and desirable to provide adequate service for the veterans, their widows, orphans and dependents domiciled therein. In the event that either (i) a home or homes for aged or infirm veterans or (ii) a state veterans' cemetery or cemeteries are established pursuant to § 9-86, the Division of War Veterans' Claims shall be responsible for the control and operation of such home or homes and cemetery or cemeteries.

Upon appropriation to the Division of funds necessary to establish a state veterans' cemetery or home, the Division shall proceed forthwith to make application to the United States Veterans Administration for available fifty percent matching funds pursuant to Public Law 95-476 (38 USC 1008, State Cemetery Grant Program) and sixty-five percent matching funds under Public Law 95-62 (38 USC 5031-5037, State Home Grant Projects) for a home for aged or infirm veterans.

§ 9-86. Powers and duties.—A. The Commission is authorized and directed to study all matters affecting the welfare of citizens of Virginia who are war veterans, or dependents or survivors of such veterans; to consider and make recommendations concerning appropriate legislation for their benefit; and, in this connection, to keep advised as to administration of laws heretofore or hereafter enacted concerning veterans and their dependents. The Commission shall biennially, sixty days prior to the convening of each even-numbered year session of the General Assembly, make a report to the Governor, the Attorney General of Virginia, and the General Assembly of Virginia, setting forth its findings and recommendations.

B. In addition to the powers and duties enumerated in subsection A of this section, the Commission shall have the authority to make recommendations to acquire land, buildings, furnishings and equipment for the establishment of (i) a home or homes for aged or infirm veterans domiciled in the Commonwealth and (ii) a state veterans' cemetery or cemeteries. In connection with the establishment of any such facility, the Commission may make recommendations to accept gifts, apply for and receive grants, and expend funds made available by the federal government, private individuals, veterans' organizations, and all other sources. Upon establishment of such home or homes or cemetery or cemeteries, they shall pass to the control and operation of the Division of War Veterans' Claims , *with advisory oversight retained by the Commission .*

Appendix IV

An Act to amend and reenact §§ 2.1-129 and 9-86 of the Code of Virginia, relating to the establishment of a state veterans' home or homes and a state veterans' cemetery or cemeteries.

[H 1359]

Approved March 25, 1985

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-129 and 9-86 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-129. Division of War Veterans' Claims.—The Attorney General is hereby authorized, with the approval of the Governor, to establish, equip and operate such offices for a Division of War Veterans' Claims as may be necessary and desirable to render adequate assistance to veterans of the armed forces of the United States, their widows, orphans and dependents, domiciled in Virginia, in matters of rehabilitation and in the preparation, presentation and prosecution of all lawful claims by, or on behalf of, such veterans, their widows, orphans and dependents, to obtain the benefit of their rights and privileges under various federal, ~~State state~~ and local laws enacted for their benefit ; ~~and~~ . For these purposes the Attorney General is authorized to employ such personnel as may, in his judgment, be necessary for the proper operation of such offices and for the proper discharge of the duties and functions of such Division; the compensation of such personnel to be determined by the Attorney General with the written approval of the Governor.

Such offices shall be so located as to render the service of the Division conveniently available to such veterans, their widows, orphans and dependents. Appropriate areas shall be assigned from time to time for each office. The various localities in each such area shall be visited by a representative attached to such office, at such intervals as may be necessary and desirable to provide adequate service for the veterans, their widows, orphans and dependents domiciled therein. *In the event that either (i) a home or homes for aged or infirm veterans or (ii) a state veterans' cemetery or cemeteries are established pursuant to § 9-86, the Division of War Veterans' Claims shall be responsible for the control and operation of such home or homes and cemetery or cemeteries.*

§ 9-86. Powers and duties.— A. The Commission is authorized and directed to study all matters affecting the welfare of citizens of Virginia who are war veterans, or dependents or survivors of such veterans; to consider and make recommendations concerning appropriate legislation for their benefit ; ; and, in this connection, to keep advised as to administration of laws heretofore or hereafter enacted concerning veterans and their dependents. The Commission shall biennially, sixty days prior to the convening of each even-numbered year session of the General Assembly, make a report to the Governor, the Attorney General of Virginia, and the General Assembly of Virginia, setting forth its findings and recommendations.

B. In addition to the powers and duties enumerated in subsection A of this section, the Commission shall have the authority to make recommendations to acquire land, buildings, furnishings and equipment for the establishment of (i) a home or homes for aged or infirm veterans domiciled in the Commonwealth and (ii) a state veterans' cemetery or cemeteries. In connection with the establishment of any such facility, the Commission may make recommendations to accept gifts, apply for and receive grants, and expend funds made available by the federal government, private individuals, veterans' organizations, and all other sources. Upon establishment of such home or homes or cemetery or cemeteries, they shall pass to the control and operation of the Division of War Veterans' Claims.

2. That the Commission on Veterans' Affairs, in recommending the establishment of a home or homes for aged or infirm veterans pursuant to § 9-86, shall give first priority to the acquisition, for that purpose, of buildings, structures, and facilities located at the United States Veterans Administration Medical Center in Richmond, Virginia (McGuire Hospital), which have been or may be declared surplus by the federal government. However, it shall also consider the possible acquisition of buildings and properties located in the County of Dinwiddie, controlled by the

Department of Mental Health and Mental Retardation and formerly used in connection with housing and treatment of mentally retarded juveniles.

3. That the Commission on Veterans' Affairs, in recommending the establishment of a state veterans' cemetery or cemeteries, shall consider the property under the control of the Department of Corrections, located at Green Springs, once intended as the site of a state correctional facility, but not presently contemplated to be used for that purpose.



Commonwealth of Virginia

County of Amelia

Post Office Box A — Amelia Court House, Virginia 23002 — (804) 561-3039

December 18, 1985

John A. Anzivino
COUNTY ADMINISTRATOR

BOARD OF SUPERVISORS

Joe H. Paulette
CHAIRMAN

James G. Dillard
VICE-CHAIRMAN

F. Stephen Davis, Jr.
Henry A. Foster
Katherine E. West

Mr. Floyd C. Bagley, Chairman
Commission on Veterans' Affairs
P. O. Box 3-AG
Richmond, Virginia 23208

Dear Mr. Bagley:

It is my pleasure to inform you that the Board of Supervisors of Amelia County wishes to extend an invitation to the Commonwealth of Virginia for the placement of a State Veterans' Cemetery here in our County. The Board at a continued meeting held December 16, unanimously agreed that this would be a project which would have significant impacts of a positive nature for our County. This decision was rendered after a public meeting sponsored by the County's Industrial Development Authority to elicit comments from adjoining property owners and the Veterans' organizations and the general public in Amelia County. It should be reported that all those that spoke at the meeting spoke favorably in regard to the project and are very interested in seeing it come to the community.

As you are aware, the Board wishes to offer to the State a piece of property known as the Sharp Farm which is located on Virginia State Secondary Route 681 approximately 2.5 miles north of the Courthouse area. The site, which consists of 127 acres, has been viewed by members of the Commission and it appears that it meets all of your criteria.

As you undoubtedly know, Amelia County is facing severe problems in regard to needs for capital improvements over the next several years. Projects listed on the books include a Courthouse Addition/Renovation project, participation in the Regional Jail, upgrading of the existing sewage system, development of an industrial park and other projects of a less significant nature, but nonetheless important to the community. Consequently, the Board of Supervisors after considerable discussion at their meeting has decided that the land which will be offered can only be offered at a price of \$85,000. This price is considerably less than the fair market value of the property as established by the County's 1982 reassessment and is a price which the Board feels should meet with the County's citizens approval.


Mr. Floyd C. Bagley
Page 2
December 18, 1985

It is likely that money from the proceeds of this sale, if approved by the General Assembly, would be utilized for further development of the County's Industrial Park. This project, which is the last thing holding us up in being certified under the Governor's Certification Program, is extremely important to our community as we attempt to provide jobs for our youth as well as our citizens, many of whom commute long distances on a daily basis.

It should also be noted that if the Commonwealth is receptive to the idea of the purchase of the land that the County would have to rezone the property to Agricultural A-1 to properly obtain a permit under existing zoning regulations. The County stands ready to do this in conjunction with the Planning Commission and whatever State and Federal agencies are involved.

Amelia County is proud that we offered a site which appears to meet your criteria. Please feel free to contact me if you should need additional information concerning our offer. We stand ready to appear at any appropriate General Assembly committee meetings and will present our case in a positive fashion on behalf of the Veterans' Affairs Commission should you so desire. With Best Wishes

Sincerely,


John A. Anzivino
County Administrator

JAA:we

cc: Veterans' Affairs Commission
Board of Supervisors
Industrial Development Authority
Senator R. Edward Houck
Delegate Watkins M. Abbitt, Jr.
Mr. Ernest Glynn
Mr. Alan B. Wambold



COMMONWEALTH of VIRGINIA

Office of the Governor

Richmond 23219

Charles S. Robb
Governor

October 2, 1985

Mr. Ernest B. Glynn
Assistant Legislative Officer
Veterans of Foreign Wars of
the United States
4306 Ferry Landing Road
Alexandria, Virginia 22309

Dear Mr. Glynn:

Thank you for your letter of September 9, 1985 in which you suggested possible uses for the General Fund balance for the last fiscal year. I can assure you that the final uses of these funds, including proposals of benefits to veterans, will be carefully considered.

The 1986-88 budget request for the Division of War Veterans' Claims has only recently been received from the Attorney General. Because we have not yet had sufficient time to review its contents, I am unable to comment on the level of funding that will be included in my recommendations for the Division.

In my letter of July 8, 1985 I discussed the role of the Commission on Veterans' Affairs in initiating support for a veterans' domiciliary care facility. Support for a veterans' cemetery should also be initiated through the Commission. Therefore, I am forwarding a copy of your letter to Dr. Alan Wambold, who serves as Commission staff, and to Samuel Black, Director of the Division of War Veterans' Claims. The Division of War Veterans' Claims will be responsible for the administration of a veterans' cemetery or domiciliary care facility should they be established.

Mr. Glynn, as a veteran myself I am keenly aware of the needs of the former servicemen and women who served with us, whether it be at the Marne or Da Nang. I share your interest in seeing that the Commonwealth of Virginia treats the veterans residing here equitably.

Mr. Ernest B. Glynn
October 2, 1985
Page 2

Thank you for your suggestions. Your letters have been helpful to me in keeping abreast of issues of importance to Virginia's veterans. Please write again whenever you have an issue to bring to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles S. Robb". The signature is written in a cursive style with a large initial "C" and a long horizontal stroke.

Charles S. Robb

CSR/mkh
cc: Dr. Alan B. Wambold
Samuel M. Black

Appendix VII

Commission Members, 1984-85

Floyd C. Bagley (Chairman)

William L. McCauley (Vice Chairman)

Gwendalyn F. Cody

C. Ray Edmonds

Raymond Evans, Jr.

William E. Fears

Donald A. McGlothlin, Sr.

Ewin A. Ottinger

Claude V. Swanson

Charles L. Waddell

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