

(Draft – Awaiting Formal Approval)

**MINUTES OF THE  
VETERANS' AND MILITARY AFFAIRS COMMISSION**

Monday, December 1, 2014 – 9:00 a.m. – Board Room, Veterans Administration Medical Center

**Members Present:**

Sen. Peter C. Knudson, Senate Chair  
Rep. Paul Ray, House Chair  
Sen. Karen Mayne  
Rep. Tim M. Cosgrove  
Rep. Val L. Peterson  
Dr. Steven Allen  
Dr. Mark E. Babitz  
MG Jefferson S. Burton  
Dr. Blair K. Carruth  
Mr. Bart Davis  
Mr. Brian Garrett  
Mr. George Gutzmer  
Mr. Jared A. Haines  
Mr. Gary Harter

Mr. Johnnie B. Janes  
Mr. Brent Kelsey  
Mr. Frank Maughan  
Mr. Jon Pierpont  
Mr. Terry D. Schow  
Mr. Rick Schwermer

**Members Absent:**

Mr. Tage I. Flint  
Mr. Greg Rowley

**Staff Present:**

Mr. Richard C. North, Policy Analyst  
Ms. Esther Chelsea-McCarty, Associate General Counsel  
Ms. Tracey Fredman, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Knudson called the meeting to order at 9:00 a.m. and turned the gavel over to Rep. Ray.

Chair Ray announced that this meeting would be the last meeting that Rep. Cosgrove would be attending as a representative of the Utah State Legislature. Chair Ray recognized Rep. Cosgrove's contributions to the Legislature, including the legislation that created the Veterans' Reintegration Task Force and the Veterans' and Military Affairs Commission.

**MOTION:** Rep. Knudson moved to appoint Tim M. Cosgrove to fill the general public position on the commission. The motion passed unanimously. Rep. Peterson, Mr. Garrett, Mr. Maughan, and Mr. Schow were absent for the vote.

Chair Ray turned the gavel over to Rep. Cosgrove so he could chair the last meeting.

**MOTION:** Mr. Maughan moved to approve the minutes of the October 23, 2014, meeting. The motion passed unanimously. Rep. Peterson and Mr. Garrett were absent for the vote.

**2. Veterans Administration Medical Center: Utah Facilities Report**

Mr. Steve Young, Director, Veterans Health Administration, welcomed commission members and presented "VA Salt Lake City Health Care System, George E. Wahlen VA Medical Center." Mr. Young provided an overview of the work performed at the medical center in the areas of quality medical care, education, research, and emergency preparedness, and responded to questions from the commission.

**3. Disabled Veteran Housing / Service Dog Training Facility**

Rep. Ray introduced Mr. Roger Nold and his wife, Mrs. Joan Nold, Labs For Liberty, Morgan, Utah.

Mrs. Nold distributed and presented "Labs for Liberty at Liberty Outpost" and briefed commission members about the mission of Labs for Liberty, which is to:

- provide service dogs to veterans for Post-Traumatic Stress Disorder (PTSD) and physical needs;
- offer to veterans and their families opportunities to relax, reconnect, and rejuvenate in the out-of-doors; and
- provide service to veterans free of charge.

Mrs. Nold also distributed the pamphlet "Labs for Liberty" and spoke to commission members about Post-Traumatic Stress Disorder and Traumatic Brain Injury and the troublesome effects each can have on a veteran and family members of veterans who suffer from them. She introduced two labrador service dogs, Willis and Champ, and discussed an impressive array of physical and psychiatric tasks dogs may be trained to perform to help veterans regain a sense of independence and confidence. Mrs. Nold also commented on Liberty Outpost, a guest house on the Nold's property that has been converted into a vacation retreat for combat veterans and their families.

Mrs. Nold asked for legislative help to provide a free or reduced fee fishing or hunting license and state park access to any disabled veteran.

#### **4. Definition of a Veteran: Draft Legislation**

Ms. Chelsea-McCarty distributed draft legislation "Veterans Definition" (2015FL-0232/007) and reviewed the new language contained in the bill that adds the term "veteran" to the general definitions in the Utah Code.

**MOTION:** Sen. Knudson moved to amend the bill on lines 394 and 399, by deleting "Armed" and inserting "Uniform."

**SUBSTITUTE MOTION:** Rep. Peterson moved to put this issue on the next agenda.

Chair Cosgrove advised that this was the last meeting and called for a roll call vote on the original motion. The motion failed with Sen. Knudson, Sen. Mayne, Dr. Allen, Dr. Babitz, and Mr. Garrett voting in favor.

**MOTION:** Mr. Garrett moved to amend the bill on line 396, by deleting "Utah" and directing staff to make sure, as it applies to state offered benefits, specifically tuition assistance, that it remains clear it is for Utah National Guard members only.

Commission discussion followed and Mr. Garrett withdrew the motion.

**MOTION:** Rep. Ray moved to recommend draft legislation "Veterans Definition" as a committee bill and to ask the Rules Committee to assign the bill as written to a standing committee. The motion passed unanimously.

#### **5. Veteran Claim Assistance Disclosure Amendments: Draft Legislation**

Commission staff distributed draft legislation "Veteran Claim Assistance Disclosure Amendments" (2015FL-0231/008).

Mr. Harter distributed an untitled list of 31 technical changes that the Utah Department of Veterans and Military Affairs recommends be made to the bill. He reviewed the background of discussions, highlighted a few of the changes, and responded to commission members' questions.

**MOTION:** Mr. Harter moved that the commission approve incorporation of the technical changes, presented in the untitled list of 31 technical changes handout distributed by Mr. Harter, into draft legislation "Veteran Claim Assistance Disclosure Amendments." The motion passed unanimously.

Mr. Thomas Day, Director, Senior Veterans Service Alliance, distributed and commented on "Various Schemes Used for Assisting Veterans and Their Survivors." Mr. Day discussed fees. He also stated that Utah cannot change federal laws pertaining to veterans benefits and noted instances where the draft bill seems to conflict with federal law.

Rep. Curtis Oda stated that illegal inducements and coercion tactics are already in statute and people who are scamming individuals will claim to be in compliance with federal law. He noted that requiring disclosure of compliance with federal law will not change things.

Mr. Kevin Larson, financial advisor, commented that only complaints will identify people who are not in compliance with federal law.

Mr. Christopher Scott, Congressional and Legislative Liaison, Veterans Affairs Health Care System, commented on numerous situations where a veteran was charged a financial planning fee and the services promised were never completed for the veteran.

Mr. John Glutton, attorney, argued that the legislation narrows the number of people who are available to help veterans.

**MOTION:** Sen. Knudson moved to move to the next agenda item. The motion passed unanimously.

## **6. Utah GI Bill of Rights: Proposed Resolution**

Commission staff distributed "Utah Veteran Benefits – 2014."

Sen. Mayne indicated that she has opened a bill file for a resolution to create a Utah GI bill and to study ways Utah can better support local veterans. Sen. Mayne asked commission members for support of the resolution.

**MOTION:** Sen. Knudson moved to recommend Sen. Mayne's resolution to create a Utah GI bill. The motion passed unanimously. Rep. Peterson was absent for the vote.

## **7. Veteran Administration Services and Value to the Community Report**

Ms. Nancy Jones, President, American Federation of Government Employees, distributed "VA Salt Lake City Health Care System, 2013 Year in Review." Ms. Jones introduced six representatives who in turn briefed commission members on the work they perform at the VA Salt Lake City Medical Center in their specific areas of discipline. Those representatives were:

- Ms. Anna Marie Stackhouse, Veterans Service Representative, Regional Office, VA;
- Ms. Diana Trujillo, Voluntary Service;
- Mr. Scott Brady, Engineering Service;

- Ms. Laura Swain, Registered Nurse, Nursing Service;
- Mr. Charles Talcott, mental health technician, Mental Health Service; and
- Ms. Melissa Holliday, Research.

**MOTION:** Sen. Knudson moved that staff draft a letter from the commission requesting the Department of Veterans and Military Affairs office to correspond with the federal Veterans Administration office to express support for services and to request that funding not be cut. The motion passed unanimously. Rep. Peterson was absent for the vote.

## **8. Other Items / Adjourn**

**MOTION:** Rep. Ray moved that the commission form a legislative subcommittee made up of volunteer members of the commission to offer direction and lobbying assistance during the 2015 General Session.

Mr. Harter offered to provide members of the legislative subcommittee a spreadsheet of regularly updated information on legislation used by the Department of Veterans and Military Affairs to track legislation during the session.

**AMENDED MOTION:** Rep. Ray amended the motion to include the use of legislative tracking materials, which will be provided by the Department of Veterans and Military Affairs, to members of the legislative subcommittee. The motion passed unanimously. Rep. Peterson was absent for the vote.

**MOTION:** Mr. Schow moved to adjourn the meeting. The motion passed unanimously. Rep. Peterson was absent for the vote.

Chair Cosgrove adjourned the meeting at 12:26 p.m.