

## SB 35 A STAFF MEASURE SUMMARY

### Senate Committee On Judiciary

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**Action Date:** 04/03/19

**Action:** Do pass the A-Eng bill and refer to Ways and Means by prior reference.

**Vote:** 7-0-0-0

**Yeas:** 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Channa Newell, Counsel

**Meeting Dates:** 3/29, 4/3

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#### WHAT THE MEASURE DOES:

Exempts Oregon Department of Veterans' Affairs (ODVA) from requirement that conservator include vouchers for disbursements in annual accounting to court. Repeals sunset of July 1, 2017, for grant awards for campus veteran resource services. Increases amount of grant that a grantee may use to pay the salary of a campus veteran resource coordinator. Caps biennial payment of expenses for campus veteran resource centers at \$1,200,000 for biennium beginning July 1, 2019.

#### ISSUES DISCUSSED:

- ODVA currently has 140 veterans under conservatorship
- ODVA does not use individual accounts for protected persons, but places all moneys in state treasury account
- Full record provided to court in annual accounting
- Oversight of conservators and programs at multiple levels to prevent theft or fraud

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

Conservatorship is a protective proceeding in which a person is found to be either a minor or financially incapable and has money or property that requires management. Financially incapable means a condition in which a person is unable to manage their own financial resources effectively for reasons that may include illness or disability, but may also include "chronic intoxication, confinement, detention by a foreign power or disappearance." ORS 125.005(3). "Manage financial resources" means those actions necessary to obtain, administer and dispose of real and personal property, intangible property, business property, benefits and income (ORS 125.005(3)).

Conservators are required to give an annual accounting to the court detailing their administration of the protected person's money or properties. Within the annual accounting, a conservator must provide vouchers for disbursements unless the conservator is a trust company in compliance with ORS 709.030. The Oregon Department of Veterans' Affairs provides conservator services for veterans who require experts in managing U.S. Department of Veterans Affairs benefits.

Senate Bill 35 A exempts the ODVA from the requirement to provide vouchers in its annual accounting to the court when serving as a conservator. In addition, the measure makes permanent grant programs for campus veteran services, allocates \$1,200,00 towards such programs for the coming biennium, and raises the amount of grant money that can be used for salaries of campus veteran services coordinators.