

Date:	February 20th, 2025
To:	Chair Manning Jr., Vice Chair Thatcher, and Members of the Senate Committee on Veterans, Emergency Management, Federal and World Affairs
From:	Association of Oregon Counties Legislative Affairs Manager, Justin Low
Subject:	Oppose – SB 658

Thank you for the opportunity to submit written testimony in opposition of SB 658. For the record, my name is Justin Low, and I am a Legislative Affairs Manager offering testimony on behalf of the Association of Oregon Counties (AOC).

AOC is a non-partisan member organization that advocates on issues that unite all county governing bodies and have an impact on county functions, governance, budgets, and services. We appreciate the Legislature’s commitment to supporting our veterans. However, we must respectfully oppose this bill for the reasons outlined below.

Unintended Administrative and Financial Burdens

Under this legislation, public employers would be required to interview each veteran applicant meeting the minimum qualifications and demonstrating transferable skills when the position’s duties are performed by only one individual. While we support veterans’ preference laws and encourage veterans to apply for public sector roles, the mandatory interview requirement can impose disproportionate administrative burdens on smaller local governments. Additionally, if a veteran is not offered the position, the burden is on the public employer to send a notice to the veteran applicant within 3 business days. This would further increase the workload for public employer recruiters and human resource staff, and carries a civil liability risk should they fail to meet this requirement.

Expanded Liability and Legal Exposure

Section 4 of the bill greatly expands the timetable to bring a tort claim against a public employer in a veterans preference claim to two years, which is substantially longer than any other class of claim. This extended timeframe will harm public employers ability to defend claims in hiring actions brought years after they occur. Section 8 is also concerning, as it creates new civil liability risks for public employers, including potential exposure to non-economic damages. The legislation prohibits awarding attorney fees or costs to the public employer, and it appears that this would be the case even if the employer successfully defends itself. Counties strive to comply with

existing veterans' preference requirements; however, this bill takes an overly punitive approach.

Redundant and Excessive Processes

The bill, under Section 9, also contemplates a new Department of Veterans' Affairs (ODVA) investigation program for alleged violations. Of quick note, an individual may currently file a similar complaint through the Bureau of Oregon Labor and Industries, which already has the investigative expertise in this field and an established system in place. While this new investigative process through ODVA cannot be initiated if a civil action on the same matter, brought forward through the mechanism in Section 8, has commenced in state or federal court, this duplication of oversight processes increases the number of resources needed to defend the county's decision—resources that could otherwise be used to fund and support essential public services to local government residents. Counties may also be required to defend themselves multiple times under this framework, if a complaint is filed with ODVA within the one year statute of limitations, and then a subsequent tort claim is filed prior to the two year deadline created by this bill.

Annual Training Requirements and Associated Costs

Lastly, while we can appreciate the request of the additional training on the new veteran preference updates brought forward by the bill, the mandate for annual trainings adds another administrative requirement that could be burdensome for smaller jurisdictions. Counties already have robust training materials on veterans' preference laws and actively train recruiters on its proper application. Making such training an annual, formal requirement—particularly for counties with low employee turnover or less-resources—may not be the most cost-effective approach to ensuring compliance. Requiring local governments to submit their training materials to ODVA for approval adds another layer of administrative burden and cost to both state and local governments

Counties are committed to fostering inclusive, fair hiring practices and upholding veterans' preference laws. However, SB 658 places an undue burden on public employers and exposes counties to excessive legal risk. We respectfully urge you to vote "No" on this legislation or, at minimum, to consider amendments addressing the concerns raised above.

Thank you for considering our testimony. We look forward to working with you on constructive solutions that support our veterans while ensuring counties can efficiently and effectively serve our communities.

Best,

Justin Low

Legislative Affairs Manager for Governance and Revenue