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## House of Representatives

Commonwealth of Pennsylvania  
Harrisburg

**COMMITTEES:**

VETERANS AFFAIRS &  
EMERGENCY PREPAREDNESS,  
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LIQUOR CONTROL  
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**CAUCUSES:**

SCHOOL PROPERTY TAX RELIEF

### MEMORANDUM

**TO: All House Members**

**FROM: Representative Stephen Barrar** 

**SUBJECT: Introduction of Legislation—Office of Veteran Advocate**

**DATE: February 16, 2011**

I plan to introduce legislation that would create within the Attorney General's Office, the Office of Veteran Advocate to, among other things, represent veterans before the State Civil Service Commission and other venues.

Among the many benefits provided to our veterans in Pennsylvania is what is known as "Veterans' Preference." Current law under Chapter 71 of Title 51 of the Military Affairs Code requires that the appointing authority give preference to a veteran who meets the required qualifications for a public position.

Past court cases, especially the 2007 "Cutler" decision, have shown that there exists a real need to provide for a legal advocate to represent veterans before the Pennsylvania State Civil Service Commission, who understands the challenges faced by veterans and who can bring action on behalf of a veteran against a government entity.

The important duty of representing all veterans before the SCSC has never been more necessary and timely than now. As you may know, Auditor General Jack Wagner has issued a performance audit entitled, 'A Special Performance Audit of the State Civil Service Commission Veterans' Preference Program, November 2008.'

The Auditor General released a statement stating that, "25 state agencies filled at least 569 civil service employment positions without considering eligible veterans seeking employment." In addition, the Auditor General stated, "The State Civil Service Commission must modify its policies and procedures to tighten its oversight of the Veterans' Preference Program."

Another area where a veteran advocate could assist veterans with their legal matters is when a veteran loses a job or college credits because of war-time deployment or being called to state or federal active duty.

Veterans who have served their country and are entitled to this benefit deserve more than having to acquire a private attorney to represent them when they feel that the State Civil Service Commission or other state or local entity has erred in applying the veterans' preference principle. Pennsylvania's veterans have earned the benefits that are provided to them under state law and they should not be punished by the false implementation of the law by the state or any employer.

If you wish to join me in sponsoring this legislation, please contact Gina Buffington in my office at 783-3038 or email [gbuffing@pahousegop.com](mailto:gbuffing@pahousegop.com). I would appreciate your support and co-sponsorship.

SEB/gb