

Enrolled House Bill 2208

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Veterans' Affairs)

CHAPTER

AN ACT

Relating to benefits for performing military service; creating new provisions; amending ORS 408.010, 408.020 and 408.060; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 408.010 is amended to read:

408.010. As used in ORS 408.010 to 408.090, unless otherwise required by the context[.],

[(1) "Director" means Director of Veterans' Affairs.]

[(2)] "beneficiary" means any person who served in the active Armed Forces of the United States [between] **on or after** June 25, 1950, [and January 31, 1955, or subsequent to June 30, 1958, and] who was relieved or discharged from [such] **that** service under honorable conditions and who was also a resident of Oregon at the time the person applied for benefits under ORS 408.010 to 408.090. [However, unless otherwise required by context, no aliens, alien enemies, persons who avoided combat service by claiming to be conscientious objectors, persons who served less than 90 days in the Armed Forces, or persons inducted or enlisted into the military or naval service, who received civilian pay for civilian work, shall be given aid under ORS 408.010 to 408.090.] **"Beneficiary" does not include an alien, an alien enemy, a person who avoided combat service by claiming to be a conscientious objector, a person who served less than 90 days in the Armed Forces of the United States or a person inducted or enlisted in the military or naval service who received civilian pay for civilian work.**

SECTION 2. ORS 408.020 is amended to read:

408.020. (1) Beneficiaries who desire to pursue an approved course of study or professional training in or in connection with any accredited state or other public school or accredited private school or accredited college[,] shall have the right and privilege of state financial aid as provided in ORS 408.010 to 408.090[.].

(2) State financial aid is payable at the rate of \$150 per month for each month of full-time study or training[not to exceed the total number of months served in the Armed Forces or a total of 36 months, whichever is less.] and \$100 per month for each month of part-time study or training.

(3) The total number of monthly payments under subsection (2) of this section may not exceed the total number of months served in the Armed Forces of the United States or 36, whichever is less.

[(2)] (4) The Director of Veterans' Affairs may permit a beneficiary to attend a school or college outside of this state upon a satisfactory showing that the training required is not available in an accredited institution within this state.

[3] (5) A beneficiary may not receive payments or benefits under ORS 408.010 to 408.090 at the same time that the beneficiary is receiving educational aid under any federal Act based upon prior service in the Armed Forces. Time spent by a person who applies for benefits under ORS 408.010 to 408.090 in the army specialized training program, the Navy V-12 program or other like training program may not be counted as service in the Armed Forces within the purview of ORS 408.010 [(2)].

SECTION 3. ORS 408.060 is amended to read:

408.060. (1) The monthly payments provided in ORS 408.020 shall be allowed to any beneficiary who is enrolled in [a] **an approved full-time or part-time** course of study or professional training.

(2) Upon receipt of the monthly statement provided for in ORS 408.050, the Director of Veterans' Affairs, if the director finds that [it] **the monthly statement** is correct, shall issue a voucher to the Oregon Department of Administrative Services which shall [issue] **draw** a warrant on the State Treasurer **or make an electronic transfer** in favor of each beneficiary. [Such] **The warrant or electronic transfer** shall be paid out of the funds appropriated for the administration of ORS 408.010 to 408.090.

SECTION 4. The amendments to ORS 408.010, 408.020 and 408.060 by sections 1, 2 and 3 of this 2007 Act first apply to the academic term beginning in fall 2007.

SECTION 5. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

Passed by House February 8, 2007

Received by Governor:

Repassed by House June 25, 2007

.....M.,....., 2007

Approved:

.....
Chief Clerk of House

.....M.,....., 2007

.....
Speaker of House

.....
Governor

Passed by Senate June 23, 2007

Filed in Office of Secretary of State:

.....M.,....., 2007

.....
President of Senate

.....
Secretary of State