

House Bill 2208

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Makes veterans enrolled part-time in course of study or professional training eligible for state financial aid.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to benefits for performing military service; creating new provisions; amending ORS 408.010,
3 408.020 and 408.060; and declaring an emergency.

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

5 **SECTION 1.** ORS 408.010 is amended to read:

6 408.010. As used in ORS 408.010 to 408.090, unless otherwise required by the context[.],

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

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

20 **SECTION 2.** ORS 408.020 is amended to read:

21 408.020. (1) Beneficiaries who desire to pursue an approved course of study or professional
22 training in or in connection with any accredited state or other public school or accredited private
23 school or accredited college[,] shall have the right and privilege of state financial aid as provided
24 in ORS 408.010 to 408.090[.].

25 **(2) State financial aid is** payable at the rate of \$150 per month for each month of full-time
26 study or training[, not to exceed the total number of months served in the Armed Forces or a total of
27 36 months, whichever is less.] **and \$100 per month for each month of part-time study or train-**
28 **ing.**

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **whichever is less.**

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

5 [(3)] (5) A beneficiary may not receive payments or benefits under ORS 408.010 to 408.090 at the
 6 same time that the beneficiary is receiving educational aid under any federal Act based upon prior
 7 service in the Armed Forces. Time spent by a person who applies for benefits under ORS 408.010 to
 8 408.090 in the army specialized training program, the Navy V-12 program or other like training
 9 program may not be counted as service in the Armed Forces within the purview of ORS 408.010
 10 [(2)].

11 **SECTION 3.** ORS 408.060 is amended to read:

12 408.060. (1) *[The monthly payments provided in ORS 408.020 shall be allowed to]* Any beneficiary
 13 who is enrolled in [a] **an approved full-time or part-time** course of study or professional training
 14 **is entitled to the monthly payments provided for in ORS 408.020.**

15 (2) Upon receipt of the monthly statement provided for in ORS 408.050, the Director of Veterans'
 16 Affairs, if the director finds that *[it]* **the monthly statement** is correct, shall issue a voucher to the
 17 Oregon Department of Administrative Services which shall *[issue]* **draw** a warrant on the State
 18 Treasurer **or make an electronic transfer** in favor of each beneficiary. *[Such]* **The warrant or**
 19 **electronic transfer** shall be paid out of the funds appropriated for the administration of ORS
 20 408.010 to 408.090.

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

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