

House Bill 3159

Sponsored by Representative BARKER; Representatives BOQUIST, BUCKLEY, MINNIS, WHISNANT, Senator AVAKIAN (at the request of Mac MacDonald, United Veterans Groups of Oregon)

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**.

Allows certain veterans to receive state aid for course of study or professional training and federal educational aid concurrently. Allows electronic transfer of state 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 mean 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 in
24 ORS 408.010 to 408.090, payable at the rate of \$150 per month for each month of full-time study or
25 training, not to exceed the total number of months served in the Armed Forces **of the United
26 States** or a total of 36 months, whichever is less.

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

30 (3) [A beneficiary may not receive payments or benefits under ORS 408.010 to 408.090 at the same

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

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

7 408.060. (1) *[The monthly payments provided in ORS 408.020 shall be allowed to]* Any beneficiary
 8 who is enrolled in *[a]* **an approved** full-time course of study or professional training **is entitled to**
 9 **the monthly payments provided for in ORS 408.020.**

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

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

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

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