

House Joint Resolution 39

Sponsored by Representative BARKER; Representatives BUCKLEY, KRIEGER, RICHARDSON, WHISNANT, Senator DEVLIN (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**.

Proposes amendment to Oregon Constitution relating to eligibility for farm and home loans from Oregon War Veterans' Fund.

Refers proposed amendment to people for their approval or rejection at special election held on same date as next primary election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Sections 1 and 3, Article XI-A of the Constitution of the State of Oregon, are amended to read:

Sec. 1. (1) Notwithstanding the limits contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed eight percent of the true cash value of all the property in the state, for the purpose of creating a fund, to be known as the "Oregon War Veterans' Fund," to be advanced for the acquisition, **refinance or improvement** of farms and homes **wholly located within the State of Oregon** for the benefit of [*male and female residents of the State of Oregon*] **persons described in section 3 of this Article** who served **or are serving** in the Armed Forces of the United States **or the Oregon National Guard**. Secured repayment thereof shall be and is a prerequisite to the advancement of money from [*such*] **the** fund, except that moneys in the Oregon War Veterans' Fund may also be appropriated to the Director of Veterans' Affairs to be expended, without security, for the following purposes:

(a) Aiding **congressionally chartered** war veterans' organizations in connection with their programs of service to war veterans;

(b) Training service officers appointed by the counties to give aid as provided by law to **war** veterans and their dependents;

(c) Aiding the counties in connection with programs of service **or support** to war veterans;

(d) The duties of the Director of Veterans' Affairs as conservator of the estates of beneficiaries of the United States Veterans' Administration; and

(e) The duties of the Director of Veterans' Affairs in providing services **or support** to war veterans, their dependents and survivors.

(2) The Director of Veterans' Affairs may establish standards and priorities with respect to the granting of loans from, **the expenditure of funds from and the operation of** the Oregon War Veterans' Fund that, as determined by the director, best accomplish the purposes and promote the financial sustainability of the Oregon War Veterans' Fund, including, but not limited to, standards and priorities necessary to maintain the tax-exempt status of earnings from bonds issued under authority of this section and section 2 of this Article.

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 **Sec. 3.** *[No person shall receive money]* **Loans** from the Oregon War Veterans' Fund *[except the*
2 *following]* **for the acquisition, refinance or improvement of farms and homes may be made**
3 **only to the following persons:**

4 (1) A person who:

5 *[(a) Resides in the State of Oregon at the time of applying for a loan from the fund;]*

6 *[(b)]* **(a)** Served honorably in active duty¹*[, other than active duty for training,]* in the Armed
7 Forces of the United States:

8 (A) For a period of not less than 210 days, **excluding periods of active duty for training**, or
9 who was, prior to completion of *[such]* **this** period of service, discharged, **separated** or released
10 from active duty *[on account of]* **due to** service-connected injury or illness; or

11 (B) In a theater of operations for which a campaign or expeditionary ribbon or medal is au-
12 thorized by the United States; **and**

13 *[(c)]* **(b)** Has been honorably *[separated or]* discharged, **separated or released** from the Armed
14 Forces of the United States, **including by honorable transfer or release to a reserve.** *[or has been*
15 *furloughed to a reserve; and]*

16 *[(d) Makes application for a loan within the 30-year period immediately following the date on which*
17 *the person was released from active duty in the Armed Forces of the United States.]*

18 **(2) A person who:**

19 **(a)** Served honorably as a member of the Oregon National Guard or as a member of the
20 reserves of the Armed Forces of the United States for the duration of the member's initial
21 active status obligation, or who was, prior to the completion of the member's initial active
22 status obligation, discharged, separated or released from this period of service due to
23 service-connected injury or illness that occurred while serving honorably under military
24 control and pursuant to military orders; **and**

25 **(b)** If discharged, separated or released from service, was discharged, separated or re-
26 leased honorably.

27 *[(2)(a)]* **(3)** The spouse of a person *[who is qualified to receive a loan under]* **described in para-**
28 **graph (a)** of subsection (1) of this section *[but who has either been]* **who is** missing in action or is
29 a prisoner of war *[while on]* **arising from the person's** active duty in the Armed Forces of the
30 United States even though the status of missing or being a prisoner occurred prior to **the person's**
31 completion of the minimum length of service *[or residence set forth in subsection (1) of this section,*
32 *provided the spouse resides in this state at the time of application for the loan]* **described in subpar-**
33 **agraph (A) of paragraph (a) of subsection (1) of this section. The eligibility of a spouse under**
34 **this subsection shall terminate on the spouse's remarriage.**

35 *[(b)]* **(4)** The surviving spouse of a person *[who was qualified to receive a loan under subsection*
36 *(1)]* **described in subsection (1) or (2)** of this section *[but who died while on active duty in the*
37 *Armed Forces of the United States even though the death occurred prior to completion of the minimum*
38 *length of service or residence set forth in subsection (1) of this section, provided the surviving spouse*
39 *resides in this state at the time of application for the loan]* **who died as a material consequence of**
40 **the service-connected injury or illness, regardless of whether the service-connected injury**
41 **or illness led to an early discharge, separation or release from service.**

42 *[(c)]* The eligibility of a surviving spouse under this subsection shall terminate on *[his or her]*
43 **the surviving spouse's** remarriage.

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45 **PARAGRAPH 2.** **The amendment proposed by this resolution shall be submitted to the**

1 **people for their approval or rejection at a special election held throughout this state on the**
2 **same date as the next primary election.**

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