

Enrolled

House Joint Resolution 7

Sponsored by Representatives HOLVEY, MAURER, MATTHEWS; Representative C EDWARDS, Senators BATES, BONAMICI, DEVLIN, DINGFELDER, HASS, JOHNSON, METSGER, MONNES ANDERSON, MONROE, MORRISSETTE, PROZANSKI, ROSENBAUM, SCHRADER, VERGER (Presession filed.)

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 of farms and homes for the benefit of male and female residents of the State of Oregon who served in the Armed Forces of the United States. Secured repayment thereof shall be and is a prerequisite to the advancement of money from such 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 [*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 veterans and their dependents;

(c) Aiding the counties in connection with programs of service 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 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 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.

Sec. 3. No person shall receive money from the Oregon War Veterans' Fund except the following:

(1) A person who:

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

(b) Is a veteran, as that term is defined by Oregon law;

(c) Served under honorable conditions on active duty in the Armed Forces of the United States; and

(d) Satisfies the requirements applicable to the funding source for the loan from the Oregon War Veterans' Fund.

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

[(A) For a period of not less than 210 days or who was, prior to completion of such period of service, discharged or released from active duty on account of service-connected injury or illness; or]

[(B) In a theater of operations for which a campaign or expeditionary ribbon or medal is authorized by the United States;]

[(c) Has been honorably separated or discharged from the Armed Forces of the United States or has been furloughed to a reserve; and]

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

(2)(a) The spouse of a person who is qualified to receive a loan under subsection (1) of this section but who has either been missing in action or a prisoner of war while on active duty in the Armed Forces of the United States even though the status of missing or being a prisoner occurred prior to completion of *[the]* a minimum length of service or *[residence set forth in subsection (1) of this section]* **the person never resided in this state**, provided the spouse resides in this state at the time of application for the loan.

(b) The surviving spouse of a person who was qualified to receive a loan under subsection (1) of this section but who died while on active duty in the Armed Forces of the United States even though the death occurred prior to completion of *[the]* a minimum length of service or *[residence set forth in subsection (1) of this section]* **the person never resided in this state**, provided the surviving spouse resides in this state at the time of application for the loan.

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

(3) As used in this section, "active duty" does not include attendance at a school under military orders, except schooling incident to an active enlistment or a regular tour of duty, or normal military training as a reserve officer or member of an organized reserve or National Guard unit.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

Adopted by House May 20, 2009

Chief Clerk of House

Speaker of House

Adopted by Senate June 17, 2009

President of Senate