

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Veterans and Emergency Preparedness

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO: None

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Cheyenne Ross, Administrator

Meeting Dates: 2/28, 3/7

WHAT THE MEASURE DOES: Authorizes Oregon Department of Veterans’ Affairs (ODVA) to define “honorable conditions” via rule. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Possibility of ambiguity, that state law could be construed as excluding honorable discharge and apply only to general discharge
- ODVA has no issue with existing language, but is cooperative

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: “Honorable conditions” is not specifically defined in Oregon law, but the phrase “discharged or released under honorable conditions” appears within the definition of “veteran” at ORS 407.090(1),(2) and 408.225(1)(e). “Veteran” is defined in order to facilitate determinations of eligibility for benefits, and a veteran’s discharge status impacts eligibility. The federal government uses “conditions other than dishonorable” as its standard. House Bill 2633 permits ODVA to define “honorable conditions” via rulemaking, to permit more flexibility than the federal model, in the event of inconsistency or confusion about what constitutes a discharge under honorable conditions.

House Committee vote: 7 • 0 • 0

House Floor vote: 56 • 0 • 4