

**Enrolled**  
**House Bill 2044**

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Veterans' Affairs)

CHAPTER .....

AN ACT

Relating to claims for compensation when Department of Veterans' Affairs is appointed conservator; amending ORS 406.100; and declaring an emergency.

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

**SECTION 1.** ORS 406.100 is amended to read:

406.100. If the Department of Veterans' Affairs is appointed as a conservator under ORS 406.050 or a personal representative under ORS 113.085, the department shall have a claim against the estate of the protected person or the decedent, as the case may be, for all of the following:

(1) Reasonable expenses incurred by the department in the execution or administration of the estate.

(2) After the appointment of the department as conservator, **reasonable** compensation for ordinary [*services in an amount not to exceed five percent of income to the estate, and reasonable compensation for*] **and** unusual services, as set forth by rule by the department.

(3) After the appointment of the department as personal representative, compensation as provided in ORS 116.173.

(4) With prior approval by the court having probate jurisdiction over the estate, fees charged to the department by the Attorney General for advice or assistance in the performance of the department's duties as conservator or personal representative of the estate.

**SECTION 2. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.**



**Passed by House March 18, 2013**

.....  
Ramona J. Line, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate May 22, 2013**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2013

**Approved:**

.....M,....., 2013

.....  
John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2013

.....  
Kate Brown, Secretary of State