

House Bill 2633

Sponsored by Representative DOHERTY; Representatives BOONE, CLEM, FREDERICK, MATTHEWS, WITT, Senator ROBLAN (Presession filed.)

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**.

Defines "honorable conditions" with regard to honorable discharge status of veteran as having meaning given in rules adopted by Department of Veterans' Affairs.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to definition of "veteran"; amending ORS 407.090 and 408.225; and declaring an emergency.

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

4 **SECTION 1.** ORS 408.225 is amended to read:

5 408.225. (1) As used in ORS 408.225 to 408.237:

6 (a)(A) "Civil service position" means any position for which a hiring or promotion decision is
7 made or required to be made based on the results of a merit based, competitive process that in-
8 cludes, but is not limited to, consideration of an applicant's or employee's relative ability, knowl-
9 edge, experience and other skills.

10 (B) A "civil service position" need not be labeled a "civil service position."

11 (b) "Combat zone" means an area designated by the President of the United States by executive
12 order in which, on the dates designated by executive order, the Armed Forces of the United States
13 are or have engaged in combat.

14 (c) "Disabled veteran" means a person who has a disability rating from the United States De-
15 partment of Veterans Affairs, a person whose discharge or release from active duty was for a disa-
16 bility incurred or aggravated in the line of duty or a person who was awarded the Purple Heart for
17 wounds received in combat.

18 **(d) "Honorable conditions" has the meaning given that term in rules adopted by the De-**
19 **partment of Veterans' Affairs.**

20 *[(d)]* **(e)** "Public employer" means a public body, as that term is defined in ORS 174.109, and any
21 person authorized to act on behalf of the public body, with respect to control, management or
22 supervision of any employee.

23 *[(e)]* **(f)** "Veteran" means a person who:

24 (A) Served on active duty with the Armed Forces of the United States:

25 (i) For a period of more than 90 consecutive days beginning on or before January 31, 1955, and
26 was discharged or released under honorable conditions;

27 (ii) For a period of more than 178 consecutive days beginning after January 31, 1955, and was
28 discharged or released from active duty under honorable conditions;

29 (iii) For 178 days or less and was discharged or released from active duty under honorable
30 conditions because of a service-connected disability;

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 (iv) For 178 days or less and was discharged or released from active duty under honorable
2 conditions and has a disability rating from the United States Department of Veterans Affairs; or

3 (v) For at least one day in a combat zone and was discharged or released from active duty under
4 honorable conditions;

5 (B) Received a combat or campaign ribbon or an expeditionary medal for service in the Armed
6 Forces of the United States and was discharged or released from active duty under honorable con-
7 ditions; or

8 (C) Is receiving a nonservice-connected pension from the United States Department of Veterans
9 Affairs.

10 (2) As used in subsection [(1)(e)] (1)(f) of this section, “active duty” does not include attendance
11 at a school under military orders, except schooling incident to an active enlistment or a regular tour
12 of duty, or normal military training as a reserve officer or member of an organized reserve or a
13 National Guard unit.

14 **SECTION 2.** ORS 407.090 is amended to read:

15 407.090. (1) As used in [section 3,] Article XI-A, **section 3**, of the Oregon Constitution,
16 “veteran” means a person who:

17 [(1)] (a) Served on active duty with the Armed Forces of the United States:

18 [(a)] (A) For a period of more than 90 consecutive days beginning on or before January 31, 1955,
19 and was discharged or released from active duty under honorable conditions;

20 [(b)] (B) For a period of more than 178 consecutive days beginning after January 31, 1955, and
21 was discharged or released from active duty under honorable conditions;

22 [(c)] (C) For 178 days or less and was discharged or released from active duty under honorable
23 conditions because of a service-connected disability;

24 [(d)] (D) For 178 days or less and was discharged or released from active duty under honorable
25 conditions and has a disability rating from the United States Department of Veterans Affairs; or

26 [(e)] (E) For at least one day in a combat zone and was discharged or released from active duty
27 under honorable conditions;

28 [(2)] (b) Received a combat, expeditionary or campaign ribbon or medal for service in the Armed
29 Forces of the United States and was discharged or released from active duty under honorable con-
30 ditions; or

31 [(3)] (c) Is receiving a nonservice-connected pension from the United States Department of Vet-
32 erans Affairs.

33 (2) As used in subsection (1) of this section, “honorable conditions” has the meaning
34 given that term in rules adopted by the Department of Veterans’ Affairs.

35 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
36 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
37 on its passage.

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