

Enrolled
House Bill 2633

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

CHAPTER

AN ACT

Relating to definition of “veteran”; amending ORS 407.090 and 408.225; and declaring an emergency.

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

SECTION 1. ORS 408.225 is amended to read:

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

(a)(A) “Civil service position” means any position for which a hiring or promotion decision is made or required to be made based on the results of a merit based, competitive process that includes, but is not limited to, consideration of an applicant’s or employee’s relative ability, knowledge, experience and other skills.

(B) A “civil service position” need not be labeled a “civil service position.”

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

(c) “Disabled veteran” means a person who has a disability rating from the United States Department of Veterans Affairs, a person whose discharge or release from active duty was for a disability incurred or aggravated in the line of duty or a person who was awarded the Purple Heart for wounds received in combat.

(d) “Honorable conditions” has the meaning given that term in rules adopted by the Department of Veterans’ Affairs.

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

[(e)] (f) “Veteran” means a person who:

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

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

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

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

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

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

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

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

(2) As used in subsection [(1)(e)] (1)(f) of 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 a National Guard unit.

SECTION 2. ORS 407.090 is amended to read:

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

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

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

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

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

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

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

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

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

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

SECTION 3. 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 February 13, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 13, 2013

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Peter Courtney, President of Senate

Received by Governor:

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Approved:

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

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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

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Kate Brown, Secretary of State