

# Oregon Constitution

## Article XI-A

### FARM AND HOME LOANS TO VETERANS

Sec. 1. State empowered to make farm and home loans to veterans; standards and priorities for loans 2. Bonds 3. Eligibility to receive loans 4. Tax levy 5. Repeal of conflicting constitutional provisions 6. Refunding bonds

Section 1. State empowered to make farm and home loans to veterans; standards and priorities for loans. (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. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944; Amendment proposed by H.J.R. 1, 1949, and adopted by the people Nov. 7, 1950; Amendment proposed by H.J.R. 14, 1951, and adopted by the people Nov. 4, 1952; Amendment proposed by S.J.R. 14, 1959, and adopted by the people Nov. 8, 1960; Amendment proposed by H.J.R. 9, 1967, and adopted by the people Nov. 5, 1968; Amendment proposed by H.J.R. 33, 1969, and adopted by the people Nov. 3, 1970; Amendment proposed by H.J.R. 12, 1973, and adopted by the people May 28, 1974; Amendment proposed by H.J.R. 10, 1977, and adopted by the people May 17, 1977; Amendment proposed by S.J.R. 53, 1977, and adopted by the people May 17, 1977; Amendment proposed by S.J.R. 2, 1999, and adopted by the people Nov. 7, 2000]

Section 2. Bonds. Bonds of the state of Oregon containing a direct promise on behalf of the state to pay the face value thereof, with the interest therein provided for, may be issued to an amount authorized by section 1 hereof for the purpose of creating said "Oregon War Veterans' Fund." Said bonds shall be a direct obligation of the state and shall be in such form and shall run for such periods of time and bear such rates of interest as provided by statute. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944; Amendment proposed by H.J.R. 1, 1949, and adopted by the people Nov. 7, 1950]

Section 3. Eligibility to receive loans. 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) 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 minimum length of service or residence set forth in subsection (1) of this section, 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 minimum length of service or residence set forth in subsection (1) of this section, 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 remarriage. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944; Amendment proposed by H.J.R. 1, 1949, and adopted by the people Nov. 7, 1950; Amendment proposed by H.J.R. 14, 1951, and adopted by the people Nov. 4, 1952; Amendment proposed by S.J.R. 14, 1959, and adopted by the people Nov. 8, 1960; Amendment proposed by H.J.R. 9, 1967, and adopted by the people Nov. 5, 1968; Amendment proposed by S.J.R. 23, 1971, and adopted by the people Nov. 7, 1972; Amendment proposed by H.J.R. 23, 1975, and adopted by the people May 25, 1976; Amendment proposed by H.J.R. 23, 1979, and adopted by the people May 20, 1980; Amendment proposed by S.J.R. 3, 1995, and adopted by the people Nov. 5, 1996; Amendment proposed by S.J.R. 2, 1999, and adopted by the people Nov. 7, 2000]

Section 4. Tax levy. There shall be levied each year, at the same time and in the same manner that other taxes are levied, a tax upon all property in the state of Oregon not exempt from taxation, not to exceed two (2) mills on each dollar valuation, to provide for the payment of principal and interest of the bonds authorized to be issued by this article. The two (2) mills additional tax herein provided for hereby is specifically authorized and said tax levy hereby authorized shall be in addition to all other taxes which may be levied according to law. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944; Amendment proposed by H.J.R. 85, 1997, and adopted by the people May 20, 1997]

Section 5. Repeal of conflicting constitutional provisions. The provisions of the constitution in conflict with this amendment hereby are repealed so far as they conflict herewith. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944]

Section 6. Refunding bonds. Refunding bonds may be issued and sold to refund any bonds issued under authority of sections 1 and 2 of this article. There may be issued and outstanding at any one time bonds aggregating the amount authorized by section 1 hereof, but at no time shall the total of all bonds outstanding, including refunding bonds, exceed the amount so authorized. [Created through H.J.R. 7, 1943, and adopted by the people Nov. 7, 1944]

#### **Article XI-C**

##### **WORLD WAR VETERANS' STATE AID SINKING FUND**

[Created through H.J.R. 12, 1921, and adopted by the people June 7, 1921; Amendment proposed by H.J.R. 7, 1923, and adopted by the people Nov. 4, 1924; Repeal proposed by S.J.R. 12, 1951, and adopted by the people Nov. 4, 1952]

#### **Article XI-F(2)**

##### **VETERANS' BONUS**

Sec. 1. State empowered to lend credit to pay veterans' bonus; issuance of bonds 2. Definitions 3. Amount of bonus 4. Survivors of certain deceased veterans entitled to maximum amount 5. Certain persons not eligible 6. Order of distribution among survivors 7. Bonus not saleable or assignable; bonus free from creditors' claims and state taxes 8. Administration of Article; rules and regulations 9. Applications 10. Furnishing forms; printing, office supplies and equipment; employes; payment of expenses

Section 1. State empowered to lend credit to pay veterans' bonus; issuance of bonds. Notwithstanding the limitations contained in Section 7 of Article XI of the constitution, the credit of the State of Oregon may be loaned and indebtedness incurred to an amount not exceeding 5 percent of the assessed valuation of all the property in the state, for the purpose of creating a fund to be paid to residents of the State of Oregon who served in the armed forces of the United States between September 16, 1940, and June 30, 1946, and were honorably discharged from such service, which fund shall be known as the "World War II Veterans' Compensation Fund." Bonds of the State of Oregon, containing a direct promise on behalf of the state to pay the face value thereof with the interest thereon provided for may be issued to an amount authorized in Section 1 hereof for the purpose of creating said World War II Veterans' Compensation Fund. Refunding bonds may be issued and sold to refund any bonds issued under authority of Section 1 hereof. There may be issued and outstanding at any one time bonds aggregating the amount authorized by Section 1, but at no time shall the total of all bonds outstanding, including refunding bonds, exceed the amount so authorized. Said bonds shall be a direct obligation of the State and shall be in such form and shall run for such periods of time and bear such rates of interest as shall be provided by statute. No person shall be eligible to receive money from said fund except the veterans as defined in Section 3 of this act [sic]. The legislature shall and the people may provide any additional legislation that may be necessary, in addition to existing laws, to

carry out the provisions of this section. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 2. Definitions. The following words, terms, and phrases, as used in this act [sic] shall have the following meaning unless the text otherwise requires: 1. "Domestic service" means service within the continental limits of the United States, excluding Alaska, Hawaii, Canal Zone and Puerto Rico. 2. "Foreign Service" means service in all other places, including sea duty. 3. "Husband" means the unremarried husband, and "wife" means the unremarried wife. 4. "Child or Children" means child or children of issue, child or children by adoption or child or children to whom the deceased person has stood in loco parentis for one year or more immediately preceding his death. 5. "Parent or Parents" means natural parent or parents; parent or parents by adoption; or, person or persons, including stepparent or stepparents, who have stood in loco parentis to the deceased person for a period of one year or more immediately prior to entrance into the armed service of the United States. 6. "Veterans" means any person who shall have served in active duty in the armed forces of the United States at any time between September 16, 1940, and June 30, 1946, both dates inclusive, and who, at the time of commencing such service, was and had been a bona fide resident of the State of Oregon for at least one year immediately preceding the commencement of such service, and who shall have been separated from such service under honorable conditions, or who is still in such service, or who has been retired. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 3. Amount of bonus. Every veteran who was in such service for a period of at least 90 days shall be entitled to receive compensation at the rate of Ten Dollars (\$10.00) for each full month during which such veteran was in active domestic service and Fifteen Dollars (\$15.00) for each full month during which such veteran was in active foreign service within said period of time. Any veteran who was serving on active duty in the armed forces between September 16, 1940, and June 30, 1946, whose services were terminated by reason of service-connected disabilities, and who, upon filing a claim for disabilities with the United States Veterans' Administration within three months after separation from the armed service, was rated not less than 50% disabled as a result of such claim, shall be deemed to have served sufficient time to entitle him or her to the maximum payment under this act [sic] and shall be so entitled. The maximum amount of compensation payable under this act [sic] shall be six hundred dollars (\$600.00) and no such compensation shall be paid to any veteran who shall have received from another state a bonus or compensation because of such military service. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 4. Survivors of certain deceased veterans entitled to maximum amount. The survivor or survivors, of the deceased veteran whose death was caused or contributed to by a service-connected disease or disability incurred in service under conditions other than dishonorable, shall be entitled, in the order of survivorship provided in this act [sic], to receive the maximum amount of said compensation irrespective of the amount such deceased would have been entitled to receive if living. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 5. Certain persons not eligible. No compensation shall be paid under this act [sic] to any veteran who, during the period of service refused on conscientious, political or other grounds to subject himself to full military discipline and unqualified service, or to any veteran for any periods of time spent under penal confinement during the period of active duty, or for service in the merchant marine: Provided, however, that for the purposes of this act [sic], active service in the chaplain corps, or medical corps shall be deemed unqualified service under full military discipline. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 6. Order of distribution among survivors. The survivor or survivors of any deceased veteran who would have been entitled to compensation under this act [sic], other than those mentioned in Section 4 of this act [sic], shall be entitled to receive the same amount of compensation as said deceased veteran would have received, if living, which shall be distributed as follows: 1. To the husband or wife, as the case may be, the whole amount. 2. If there be no husband or wife, to the child or children, equally; and 3. If there be no husband or wife or child or children, to the parent or parents, equally. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 7. Bonus not saleable or assignable; bonus free from creditors' claims and state taxes. No sale or assignment of any right or claim to compensation under this act [sic] shall be valid, no claims of creditors shall be enforceable against rights or claims to or payments of such compensation, and such compensation shall be exempt from all taxes imposed by the laws of this state. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 8. Administration of article; rules and regulations. The director of Veterans' Affairs, State of Oregon, referred to herein as the "director" hereby is authorized and empowered, and it shall be his duty, to administer the provisions of this

act [sic], and with the approval of the veterans advisory committee may make such rules and regulations as are deemed necessary to accomplish the purpose hereof. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 9. Applications. All applications for certificates under this act [sic] shall be made within two years from the effective date hereof and upon forms to be supplied by the director. Said applications shall be duly verified by the claimant before a notary public or other person authorized to take acknowledgments, and shall set forth applicant's name, residence at the time of entry into the service, date and place of enlistment, induction or entry upon active federal service, beginning and ending dates of foreign service, date of discharge, retirement or release from active federal service, statement of time lost by reason of penal confinement during the period of active duty; together with the applicant's original discharge, or certificate in lieu of lost discharge, or certificate of service, or if the applicant has not been released at the time of application, a statement by competent military authority that the applicant during the period for which compensation is claimed did not refuse to subject himself to full military discipline and unqualified service, and that the applicant has not been separated from service under circumstances other than honorable. The director may require such further information to be included in such application as deemed necessary to enable him to determine the eligibility of the applicant. Such applications, together with satisfactory evidence of honorable service, shall be filed with the director. The director shall make such reasonable requirements for applicants as may be necessary to prevent fraud or the payment of compensation to persons not entitled thereto. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]

Section 10. Furnishing forms; printing, office supplies and equipment; employes; payment of expenses. The director shall furnish free of charge, upon request, the necessary forms upon which applications may be made and may authorize the county clerks, Veterans organizations and other organizations, and notaries public willing to assist veterans without charge, to act for him in receiving application under this act [sic], and shall furnish such clerks, organizations and notaries public, with the proper forms for such purpose. The director hereby is authorized and directed with the approval of the veterans' advisory committee, to procure such printing, office supplies and equipment and to employ such persons as may be necessary in order to properly carry out the provisions of this act [sic], and all expense incurred by him in the administration thereof shall be paid out of the World War II Veterans' Compensation Fund, in the manner provided by law for payment of claims from other state funds. [Created through initiative petition filed June 30, 1950, and adopted by the people Nov. 7, 1950]