

A-Engrossed Senate Bill 9

Ordered by the Senate March 31
Including Senate Amendments dated March 31

Sponsored by Senator COURTNEY, Representative MINNIS; Senator MONNES ANDERSON

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.

Creates Oregon National Guard Memorial Program. Establishes Oregon National Guard Memorial Fund.

Appropriates moneys from General Fund to Oregon [*Military Department*] **National Guard Memorial Fund** for program.

Exempts amounts received as benefits under program from state personal income tax.
Declares emergency, effective July 1, 2005.

A BILL FOR AN ACT

1
2 Relating to active members of military; appropriating money; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) "Eligible member" means a member of the Oregon National Guard who is injured or
6 killed while on active federal service.

7 (b) "Family member" means a spouse or child of an eligible member of the Oregon Na-
8 tional Guard.

9 (2) The Oregon National Guard Memorial Program is created in the Oregon Military De-
10 partment. The purpose of the program is to provide a lump sum award of benefits to eligible
11 members or family members as follows:

12 (a) A death benefit of not more than \$5,000; or

13 (b) An injury benefit of not more than \$1,000.

14 (3) The Oregon Military Department shall adopt regulations implementing subsection (2)
15 of this section.

16 **SECTION 2. The Oregon National Guard Memorial Fund is established in the State**
17 **Treasury, separate and distinct from the General Fund. The Oregon National Guard Memo-**
18 **rial Fund shall consist of moneys appropriated to the fund by the Legislative Assembly.**
19 **Moneys in the fund are continuously appropriated to the Oregon Military Department for the**
20 **purposes of funding benefits described in section 1 of this 2005 Act. Interest earned by the**
21 **fund shall be credited to the fund.**

22 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**
23 **ated to the Oregon National Guard Memorial Fund, for the biennium beginning July 1, 2005,**
24 **out of the General Fund, the amount of \$_____, which may be expended for the purposes**
25 **of section 1 of this 2005 Act.**

26 **SECTION 4. Section 5 of this 2005 Act is added to and made a part of ORS chapter 316.**

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 **SECTION 5.** Any amount received as a benefit under section 1 of this 2005 Act is exempt
2 from the tax imposed by this chapter.

3 **SECTION 6.** This 2005 Act being necessary for the immediate preservation of the public
4 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
5 July 1, 2005.
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