

NORTH DAKOTA VETERANS' LEGISLATIVE COUNCIL

Comfort Inn Bismarck (Formerly Comfort Inn & Suites)

929 Gateway Ave, Bismarck, ND 58503

Minutes

December 1st, 2022

1300 PM

Meeting was called to order at 1300 pm; we opened with the Pledge of Allegiance.

Roll Call was conducted and showed representation from all 5 Veteran Service Organizations. All members were present except Matt Herrud and Bobby Beauchamp from the DAV and Tom Turk from the VFW.

Minutes from the September 8th ZOOM meeting were presented. Motion was made by Dan Stenvold from the VVA to approve the minutes, seconded by Kenny Wiederholt from the American Legion....Motion Carried.

Bill Tuff then reported the NDVLC had \$7,687.90 in our checking account. Invoices from Flash printing for ne brochures and cards for the legislative session were paid. He noted that 4 of the 5 VSO's have paid their dues. The American Legion will have it paid before the end of December. Larry Young from the VVA made motion to approve the treasurer's report, seconded by Russ Stablier from the VVA, motion carried.

OLD BUSINESS the new NDVLC Brochure was shown, every group got some for their organization. Jim reported that one is also being given to each legislator before session begins.

The 2023 dues were covered in the Treasurer's report.

NEW BUSINESS

First, Corey Moen from the VFW just brought to everyone's attention that to get any hunting tags like deer or elk to raffle off from Game and Fish the current law states you must be a 501 C3 Non-profit and there may be people looking to open that up to other non-profits like VSO's which most are a 501 C4. He just wanted us to be aware and everyone agreed we would support this change if we saw a bill about this issue.

We then discussed the importance of those testifying to be registered lobbyists when we testify. A motion was made my Corey Moen, VFW to have the NDVLC pay the \$25 fee to get registered, seconded by Vern Dunnick, AMVETS; motion carried. Once we register, we are to present a receipt to Treasurer Bill Tuff and he will reimburse us the fee.

We then began to finalize 2023 Legislative Items that were presented to us from Commissioner Lonnie Wangen.

1. Appreciation of Veterans and Military

We voted to support with the changes, taking out DAV plate and not creating a new plate. Focusing on removing “un-remarried” and purchase of “vanity or specialty plate.

a. (HB 0001) Vehicle Plates

Representative Cindy Schreiber-Beck

Intent of legislative bill:

Allow any surviving spouse in receipt of VA dependency and indemnity compensation (DIC) to be eligible to purchase a “Vanity” or “Specialty” plate.

1. NDCC 39-04-18
 - i. Law currently allows a veteran to “**display either a distinctive license plate or a standard plate that does not identify the veteran as a veteran or disabled veteran which is issued by the department**”
 - ii. (remove “Un-remarried” from law)
 1. Would match Federal VA DIC eligibility. Simplify the law so if VA determines eligibility for DIC-then qualify for ND military or patriotic plate.
 2. NDCC 39-04-18
 - iii. Minimal *fiscal note* expected

2. Budget NDDVA

Commissioner

a. (HB 1025) Optional Packages

Intent of legislative Bill:

ND Veterans Affairs Budget Optional requests

- i. Staff salary equity
 1. \$289,710
- ii. Return 2 FTE
 1. Information Officer \$150,000
 2. Veterans Benefits Specialist \$164,000
- iii. DAV van funding add one more vehicle & cost increase
 1. \$40,000

3. Burial & Memorial

a. **(HB 0003) Bridges for the Fallen**

[Bernie Satrom](#)

Intent of legislative bill:

- i. One bridge named after “hidden wounds of war”
- ii. Allow future bridges to be named after fallen veterans
- iii. *Little or no fiscal note expected*

b. **(HB 0003.1) Funeral Honor Guard Stipend**

[Representative Matt Ruby](#)

[N.Guard. Bill](#)

Intent of Legislative Bill:

- i. Funding to offset the cost of Veteran Service Organizations Honor Guard expenses
- ii. *Fiscal note expected: \$200,000*

c. **(HB 0003.2) USS Frank E. Evans (DD-552)**

[Austin Schauer Resolution \(Attached\)](#)

Intent of Legislative Bill:

- i. ND Legislative Assembly resolution to US Congress
 1. Add names of sailors who died on the USS Evans 3 June 1969 while engaged in Operation Sea Spirit to the Vietnam War Memorial Wall.
 2. *No Fiscal note expected*

4. Education

a. **(HB 0004) Dependent Tuition Waiver:**

[Representative Pyle](#)

Intent of legislative bill:

- i. Pro-rated for part-time students (45 months or 10 Semesters)
 1. Example: ½ time status uses only ½ month or semester
 2. Currently even 1 class in a month=full month utilized
 3. Reason: Difficult for surviving spouse to go to school full time, work and take care of children.
- ii. Used for bachelor’s or master’s etc.
 1. Allow 45 months or 10 Semesters for any educational goal
 - a. Due to highbred classes
 - b. If taking more than 12 credit hours and finish early-can continue towards masters etc.
- iii. NDCC 15-10-18.2 and 15-10-18.3

(From ND Veteran/Military Affairs Advisory Committee)
No fiscal note expected

b. (HB 0004.1) Dependent Tuition Waiver ??

Intent of legislative bill: Voted not to include with first part Do not support this session

- i. Refund-past years if veteran is retroactively awarded 100%
 - 1. Could possibly require general fund appropriations
 - 2. May have some resistance from schools and legislators
- ii. Discounted on percent of disability?
 - 1. Same as property tax
- iii. NDCC 15-10-18.2 and 15-10-18.3
(From ND Veteran/Military Affairs Advisory Committee)
Fiscal note expected

5. Employment/Entrepreneur

a. (HB 0005) Veterans Preference NDCC 37-19.1 Representative Stemen

Intent of legislative bill:

- i. Current Active-Duty Service members eligible (5 points)
 - 1. Would bring in line with Federal Veterans Preference under Federal Law under Chapter 21 of title 5 United States Code Sub Section: 2108a. (changed in 2011 under the VOW act (Veterans Opportunity to Work) (Hire Heroes Act) Public Law 112-56.
 - a. Amend DD214 requirement to allow a certification that the individual is expected to be discharged or released from active duty in the uniformed services under other than “dishonorable” conditions not later than 120 days after the date of the submission of the certification.
- ii. National Guard/Reserve eligible (5 points)
 - 1. All current or prior members in good standing
- iii. NDCC 37-19.1
- iv. No *Fiscal note* expected

**b. (HB 0005.1) Entrepreneur: Veteran, Spouse Representative Austen Schauer
Canceled because OMB**

Intent of legislative bill:

Create new section of ND Century Code Chapter 44-08 providing preference to be given to ND Resident

- i. Veteran owned business
 - 1. 5 percent preference
- ii. Service-Disabled veteran owned business
 - 1. 10 percent preference
- iii. Surviving spouse of veteran
 - 1. 5 percent preference
- iv. Surviving spouse of service-disabled veterans
 - 1. 10 percent preference
- v. *No Fiscal note expected*

c. **(HB 0005.2) Military Leave N. G. & Reserve**

Representative Pyle

Intent of legislative bill:

- i. Allow Military Leave time for Drill and RMA duty pay.
 - 1. NDCC 37-01-25 (20 workdays)
 - 2. *No fiscal note expected*

d. **(HB 0005.3) Veterans Preference electronic notification of non-hire ??????**

Intent of legislative bill: (add to HB0005? Reached out to Rep Stemen)

- i. Clarify language to allow electronic notification in lieu of certified letter.
- ii. NDCC 37-19.1
- iii. *No Fiscal note expected*

6. **Financial**

a. **(HB 0006) Property Tax credit.**

*Not approved/sponsored by NDVLC
Governors office interested if we get sponsor*

Intent of legislative bill:

- i. Adjust taxable value credit on the first \$8,100 to \$13,500
 - 1. (=full and true value: \$180,000 to \$300,000)
 - 2. NDCC 57-02-08.8
- ii. Remove “un-remarried” from surviving spouse eligibility Would match Federal VA DIC eligibility.
 - 1. Simplify the law so if VA determines eligibility for DIC-then qualify for ND property tax exemption
 - 2. NDCC 57-02-08.8 (1, 2 & 3)

b. (HB 0006.1) Post War Trust Fund (PWTF): Rep Karen Karls

Intent of legislative bill:

- i. Gaming tax at Veteran Service Organizations to PWTF
 - 1. 50% of Gaming tax paid by Veteran Service Organizations to be deposited in the PWTF or NDDVA grant program
 - 2. NDCC 53-06.1-12
 - 3. *Fiscal note expected*

c. (HB 0006.2) Veteran Service Org. Gaming Funds Representative Schauer

Intent of legislative bill:

- i. To be donated to and used for operation of State Veteran Service Organization Department expenses and programs
- ii. *No fiscal note expected*

7. Health & Wellbeing

- a. **PASS FUND** funding. Guardianship/conservator funds
 - i. *Support as needed. ND Association of Counties*

8. Housing

(Karla Rose Hanson)

a. (HB 0008) National Guard & Reserve & others at Veterans Home

Intent of Bill:

- i. Add eligibility for residency at ND Veterans Home for;
 - 1. certain Disabled National Guard and Reserve members and;
 - 2. disabled former service members who otherwise do not qualify as veteran under 37-01-40 who are
 - 3. Eligible for VA Nursing Care per diem
 - a. Service-connected (SC) disability rating
 - b. NDCC 37-15-02
- ii. *No fiscal note expected-federal funds cover*

b. (HB 0008.1) National Guard - NDDVA Loan Program Senator Scott Meyer

Intent of Bill:

- i. Allow current active and past ND National Guard and Reserve members to utilize the NDDVA Loan Program
- ii. NDCC 37-14-01.1
- iii. *No fiscal note*

9. Law/Policy Change

All of 9- Representative Claire Corey

a. (HB 0009) Definition of Military, Armed Forces and Uniformed Services

Intent of legislative bill:

- i. Update definition of Military, Armed Forces and Uniform Services Under NDCC 37-01:
 - ii. Add to 37-01-01 Definitions
 1. “Armed forces” means Army, Marine Corps, Navy, Air Force, Space Force and Coast Guard.
 2. “Military” means armed forces.
 3. “Uniformed services” means the armed forces, National Oceanic and Atmospheric Administration Commissioned Officer Corps and the Commissioned Corps of the U.S. Public Health Service
- No fiscal note expected*

b. (HB 0009.1) NDDVA access to Certain Vital Records Rep. Clair Corey

c. (Joyal Meyer will help with verbiage)

Intent of bill:

- i. Suicide prevention
 1. Allow ND DVA’s access to veteran/military death records at ND Vital Records
 2. Identify any similarities, patterns or consistencies in ND veteran suicides which could assist in prevention.
 3. No PII information released
- ii. *No fiscal note expected*

d. (HB 0009.2) Ask the Question “Have you ever served in Armed Forces?”

Issue resolved-legislative action no longer needed.

Intent of legislative bill:

- i. Add a question to forms and online registrations of Agencies in ND
- ii. Identify Veterans and refer to programs, benefits and services they may be eligible for
- iii. *Minimal fiscal note expected*

Withdrawn

10. Legal Services

- a. Veterans Court changes/funding?
- b. Not expected

11. Military Families Top Ten (2023)

[Representative Clair Corey](#)

- a. Will be published closer to session

12. National Guard Specific

- a. Drill time allowed for military leave (see employment HB 5.2)
- b. National Guard-Veterans Preference (see employment HB 5)
- c. National Guard-70% disabled-Veterans home (See housing HB 8)

13. Other Misc.

- a. (HB 0013) Discharge Scanning Grant

[Representative Brandenburg](#)

Intent of legislative bill:

- i. Scan/digitize all Discharge paper (DD214's, NGB22's) and Veteran claims files
 - 1. County and Tribal VSO offices
- ii. Available at local VSO office and ND Department of Veterans Affairs
- iii. Securing paper copies, efficient retrieval of important documents
Fiscal note expected \$300,000

14. Services and outreach

- a. (HB 0014) NSO/SVSO Funding Grants
from gaming tax.

No/Add percentage

Intent of legislative bill:

- i. Provide 2-\$50,000 per biennium grants for National Service Officer's

15. Studies

16. ARPA or other funding

Nothing for the GOOD OF THE ORDER.

Motion to adjourn was made and seconded, motion carried. Gave a final Hand Salute to the Colors. Meeting adjourned at 1530 PM.