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ROLL NUMBER

DESCRIPTION

1154

2001 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1154

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1154

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 01-18-01

Tape Number	Side A	Side B	Meter #
#1	X		0-1123
Committee Clerk Signature <i>Robin J. Small</i>			

Minutes:

REP. KLEIN called the meeting to order, all members were present. REP. KLEIN states that we will open the hearing on HB 1154, and hear testimony in favor first.

LTC ALAN DOHRMAN, STATE JUDGE ADVOCATE with the North Dakota National Guard.

Please refer to attached testimony.

REP. KLEIN asks if DOHRMAN if he has any idea what caused this thing to get into the law in the first place? Is this something that came way before World War II?

DOHRMAN replies that he has surveyed a number of states, and that he would venture to say approximately that maybe as high as 50% of these states has similar statutes. There isn't any state that has the adjutant general doing this, but in most states its mostly the Commissioner Veterans Affairs or the Health Department. After World War I, there were bodies not coming home or coming home after the fact. Probably federal benefits, such as burial benefits tied to be able to verify where a veteran is buried. He states that in 1939 there was emergency funding

asked for and the legislature gave \$8,000.00. But his guess is that money has already been spent.

That is the only funding that he is aware of.

In Favor:

RAY HARKEMA with the NORTH DAKOTA VETERANS AFFAIRS, states that he is in support of repealing this section of the century code. He also refers to the Blue Book, which is the Vietnam era. Has a listing of the cemeteries, plot, row, number, etc. Which has all the information if it would be requested.

REP. KLEIN asks if HARKEMA'S office has record where and what location over seas?

HARKEMA replies with a no, the office does not have that attainable to them. The United States department of Affairs has that file.

REP. BELLEW asks about service people that become North Dakota residents, where is their information kept?

HARKEMA replies that when that particular individual is discharged from the service, they have that option. They may pick which state they want their records sent to.

BOB HANSON with the NORTH DAKOTA VETERANS COORDINATING COUNCIL,

Would like to go on record as favoring HB 1154.

Against:

MRS. GARY ZENTZ (representing herself), involved a lot in genealogy. Was concerned with this bill, that it might do away with some records or other genealogy work.

REP. KLEIN asks the committee what are their wishes with the bill at hand?

REP. BRUSEGAARD moves for a DO PASS, seconded by REP. GRANDE.

The motion was approved 13-0, 2 absent and not voting.

REP. METCALF is the carrier of the bill.

Date: 1-18-2001

Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1154

House GOVERNMENT AND VETERANS AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Brusegaard Seconded By Grande

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP KROEBER	✓	
VICE CHAIR GRANDE	✓				
REP BELLEW	✓				
REP BRUSEGAARD	✓				
REP CLARK	✓				
REP DEVLIN	✓				
REP HAAS					
REP KASPER	✓				
REP KLEMIN					
REP MEIER	✓				
REP WIKENHEISER	✓				
REP CLEARY	✓				
REP HUNSKOR	✓				
REP METCALF	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Metcalf

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 18, 2001 11:52 a.m.

Module No: HR-08-1200
Carrier: Metcalf
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1154: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
HB 1154 was placed on the Eleventh order on the calendar.

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1154

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1154

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date March 9, 2001

Tape Number	Side A	Side B	Meter #
I	X		0.0-6.8
I	X		24.3-26.4
Committee Clerk Signature <i>James A. Raile</i>			

Minutes: **Chairman Krebsbach** called the committee to order. The clerk called the roll.

Chairman Krebsbach opened the hearing on HB 1154 which relates to providing information on the burial locations of wartime veterans and to recording of persons who provided military service during World War II and the Korean hostilities and recording the burial places of wartime veterans. Appearing before the committee to introduce the bill was Brigadier General Michael J. Haugen, Adjutant General of the North Dakota National Guard. A copy of his written testimony was attached. **Senator Dever** inquired what kind of information is included in the book.

Brigadier General Haugen indicated the list of the names of individuals, social security number, where they were born, residence (county and city), branch of the military they were in, the dates they served, the theaters they served in, and where they were discharged. The information is very complete. **Senator C. Nelson** inquired if this was the book that was alluded to in a previous hearing where it was indicated that there were several names missing from the book? The General indicated this is the red book but he is not aware that there was any omission

Page 2

Senate Government and Veterans Affairs Committee

Bill/Resolution Number HB 1154

Hearing Date March 9, 2001

of names from this book. He knows that they do maintain a library of books not only from these conflicts but also from World War I. He believes these are pretty complete listings so he is not aware of any errors. **Senator Dever** inquired if this book goes through the Persian Gulf War or will be amended to include any future wars. **Brigadier General Haugen** indicated this book contains only World War II and Korean Veterans. The current data bases are available and now are established with computers. He indicated he is not certain who published the books but now that they are available on computer they may not be put into book form. This book has been published through the Vietnam War. **Bob Hanson**, North Dakota Veteran's Recording Council appeared before the committee. He indicated that council unanimously supports this bill and requests that the committee give it a do pass recommendation. There was nothing further from the committee. The hearing on HB 1154 was closed at this time. A motion for a Do Pass on HB 1154 was made by **Senator T. Mathern**, seconded by **Senator C. Nelson**. Roll Call Vote indicated 6 Yeas, 0 Nays, 0 Absent or Not Voting. **Senator C. Nelson** will carry the bill.

Date: 3/09/01
Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1154

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. T. Mathern Seconded By Sen. C. Nelson

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator Carolyn Nelson	✓	
Senator Dick Dever, Vice-Chr.	✓		Senator Tim Mathern	✓	
Senator Ralph Kilzer	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. C. Nelson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 9, 2001 1:08 p.m.

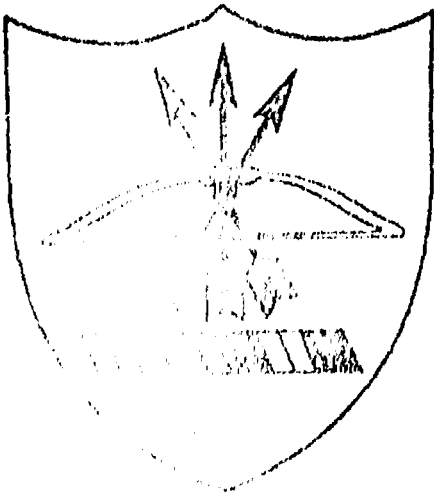
Module No: SR-41-5239
Carrier: C. Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

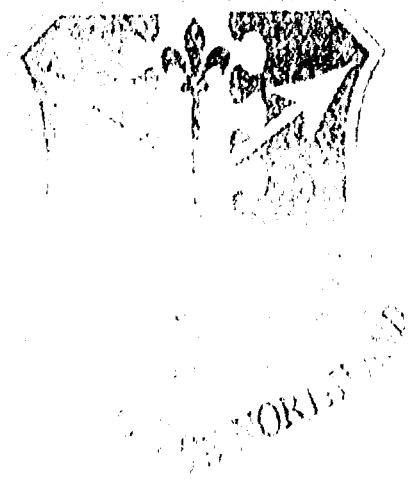
HB 1154: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1154
was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1154



*National Guard
"In God We Trust"*



*North Dakota
National Guard*

*The
North Dakota
National Guard*

*Published by
The North Dakota National Guard
October 1950
1000 1st Avenue
Bismarck, N. D.
50501*

TESTIMONY OF
LTC ALAN DOHRMANN, STATE JUDGE ADVOCATE
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

January 18, 2001

8:00 a.m.

HOUSE BILL 1154

Mr. Chairman, Members of the Committee, good morning.

This Bill repeals statutes rendered obsolete by time and technology. These Statutes require the recording of service to the state during World War II and the Korean Hostilities and the recording of the burial locations of all wartime veterans.

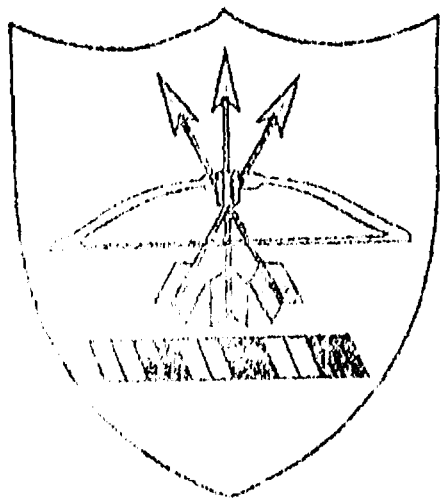
The first statute, Section 37-03-12 of the North Dakota Century Code, requires the recording of those who provided service to the State during World War II and the Korean Hostilities. The mandate of this statute was fulfilled in 1968 with the publishing of a book entitled: Register of North Dakota Veterans—World War II 1941-1945—Korean conflict 1950-1953. That being said, the fact is this statute is no longer needed in the year 2001, since service can no longer be provided to these conflicts. Therefore, the statute is no longer relevant and should be repealed.

Another section of the Century Code that has become outdated is Section 37-16, which requires the Adjutant General to record the burial locations of all wartime veterans. While this statute dates back to the 1930's, we have no records of this information ever being recorded. This alarmed us when the existence of this statute came to our attention. But, as the Adjutant General's staff discussed this Chapter of the Century Code, we realized that no one has ever requested this information. Based on this fact, we decided to look at repealing this chapter.

We have conducted a search of federal law and could not find a requirement to maintain this information. We have staffed this Bill with the State Health Department, the Commissioner of Veterans' Affairs, and the Veterans' Legislative Council. None of these organizations could come up with a reason to maintain this section of the code, or spend public dollars to stand-up a database. This is due in part to the fact that all the information required by the statute can be found in either the Death Certificate maintained by the Department of Health, or the military discharge certificate maintained by the Commissioner of Veterans' Affairs.

It is our belief that this section of law has become outdated by the proliferation of automated databases and the Internet. Further, for the Adjutant General to carry out the mandate of this statute, he would have to hire at least one full-time employee to investigate burial sites, and set-up and maintain the database. With veterans' groups and state agencies not seeing a need for this database, coupled with the fact that we would need additional general funds to establish the database, the fiscally responsible course of action is to repeal this chapter of the Century Code.

I would be pleased to respond to any questions, Mr. Chairman.



*Army National Guard
"The Straight Arrows"*



*National Guard
"The Hooligans"*

*North
National*

*United States
National Guard*

TESTIMONY OF
BRIG GEN MIKE HAUGEN, THE ADJUTANT GENERAL
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

March 9, 2001

9:00 a.m.

HOUSE BILL 1154

Madam Chairman, Members of the Committee, good morning.

This Bill repeals statutes rendered obsolete by time and technology. These Statutes require the recording of service to the state during World War II and the Korean Hostilities and the recording of the burial locations of all wartime veterans.

The first statute, Section 37-03-12 of the North Dakota Century Code, requires the recording of those who provided service to the State during World War II and the Korean Hostilities. The mandate of this statute was fulfilled in 1968 with the publishing of a book entitled: Register of North Dakota Veterans—World War II 1941-1945—Korean conflict 1950-1953. That being said, the fact is this statute is no longer needed in the year 2001, since service can no longer be provided to these conflicts. Therefore, the statute is no longer relevant and should be repealed.

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