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Deanna Hall
Operator's Signature

10/2/03
Date

2003 HOUSE APPROPRIATIONS

HB 1117

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Deanna Baller
Operator's Signature

10/2/03
Date

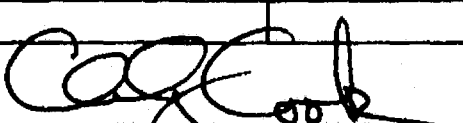
2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1117

House Appropriations Committee
Human Resources Division

☐ Conference Committee

Hearing Date January 20, 2003

Tape Number	Side A	Side B	Meter #
One		X	
Committee Clerk Signature 			

Minutes:

Mr. Ray Harkema, Commissioner, Veterans Affairs (See attached testimony)

Mr. Harkema started testimony in support of the bill. He stated that there is a conflict between 37-14-03.3 and 37-14-11 of the ND Century Code and requests that the language be changed in order to alleviate the conflict.

Mr. Bob Hanson, Vice Chairman, Veterans Coordinating Council, (See attached testimony)

Mr. Hanson testified in support of an amendment that will change the definition of "veteran" to be more in line with the Federal definition. He stated that a new definition would increase the number of veterans that the aid fund is able to serve. Mr. Hanson also stated that he felt the \$5000 grant/loan level to be sufficient. He also addressed the fiscal responsibility questions posed to him by the committee. He said that if the fund gets too low because of the additional

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Operator's Signature

10/2/03
Date

Page 2
Human Resources Division
Bill/Resolution Number 1117
Hearing Date January 20, 2003

veterans served, like in the past, the fund will stop the loan/grant functions until the money pool increases.

Ron Otto, County Veterans Services, Morton County

Mr. Otto testified briefly in support of the amendment to the bill. He stated that a new definition would only serve to help more veterans.

Mr. Jim Brent, Veterans Services, Cass County

Mr. Brent testified in support of the amendment, stating that it will only assist more veterans.

Mr. Ray Harkema returned to testify chiefly to address questions from the committee regarding the number of veterans currently served by the fund and the increase that may occur because of the change in language. Mr. Harkema stated that in the last year, six cases have been denied because of status questions. Of the six, the proposed amendment would have made no difference in four of the cases. In addition, Mr. Harkema stated that currently, there is an appeal process that a veteran is able to utilize in order to review a denial.

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Deanna Hall
Operator's Signature

10/2/03
Date

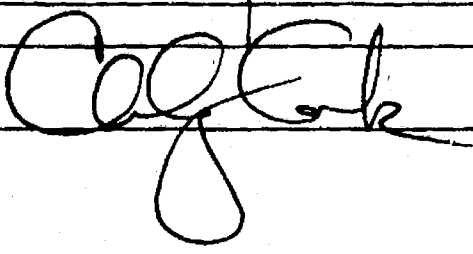
2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1117

House Appropriations Committee
Human Resources Division

☐ Conference Committee

Hearing Date January 27, 2003

Tape Number	Side A	Side B	Meter #
One		XX	
Committee Clerk Signature 			

Minutes:

General discussion regarding the purpose of the bill and amendment. It was noted that this bill does not eliminate the fund, it only removes specific reference to an appropriation amount. In addition, **Rep. Metcalf** asked why the fund is reduced in size. **Chairman Delzer** responded that the fund hopefully would stay above the appropriated figure with loan repayments and interest. However this has not happened. Additionally, because of the budget situation, the state cannot afford to refund at the \$700,000 level at this time.

Motion to accept by Rep. Metcalf; seconded by Rep. Bellew; motion carried, 4 to 0.

Motion to pass by Rep. Kempenich; seconded by Rep. Metcalf; motion carried, 4 to 0.

Carrier of the bill: Rep. Kempenich.

Recessed.

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Operator's Signature

10/2/03
Date

FISCAL NOTE
Requested by Legislative Council
01/03/2003

Bill/Resolution No.: HB 1117

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

This bill is to reconcile NDCC 37-14-03.3 and NDCC 37-14-11 in reference to the Veterans' Aid Loan Fund. It is to clarify legislative intent regarding usage of the Fund.

There is no fiscal impact.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Cathy Halgunseth	Agency:	Veterans Affairs
Phone Number:	239-7165	Date Prepared:	01/06/2002

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Operator's Signature

Date

38074.0101
Title.

Prepared by the Legislative Council staff for
Representative Deizer
January 23, 2003

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1117

Page 1, line 6, overstrike "The sum of seven hundred thousand dollars is a"

Page 1, line 7, overstrike "permanent revolving fund of the veterans' aid fund and may not
revert to the general fund"

Page 1, line 8, remove the underscored period and after "the" insert "permanent revolving fund
of the veterans' aid"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - This amendment removes the reference to a sum of \$700,000 in the permanent
revolving fund of the veterans' aid fund.

Deanna G. Deizer
Operator's Signature

10/2/03
Date

Date: January 27, 2003
Roll Call Vote #: one

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1117**

House Appropriations - Human Resources Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 38074.0101

Action Taken Do Pass

Motion Made By Rep. Kempenich Seconded By Rep. Metcalf

Representatives	Yes	No	Representatives	Yes	No
Rep. Jeff Delzer, Chairman	X				
Rep. Amy Warnke, Vice Chairman					
Rep. Larry Bellew	X				
Rep. Keith Kempenich	X				
Rep. James Kerzman					
Rep. Ralph Metcalf	X				

Total (Yes) four No 0

Absent Vice-chairman Warnke, Rep. Kerzman

Floor Assignment Rep. Kempenich

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

Removes the reference to a sum of \$700,000 in the permanent revolving fund to the Veteran's Aid Fund.

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Dan H. Hall
Operator's Signature

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
February 6, 2003 4:20 p.m.

Module No: HR-23-1918
Carrier: Kempenich
Insert LC: 38074.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1117: Appropriations Committee (Rep. Svedjan, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS
(20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1117 was placed on the
Sixth order on the calendar.

Page 1, line 6, overstrike "The sum of seven hundred thousand dollars is a"

Page 1, line 7, overstrike "permanent revolving fund of the veterans' aid fund and may not
revert to the general fund"

Page 1, line 8, remove the underscored period and after "the" insert "permanent revolving fund
of the veterans' aid"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

HOUSE - This amendment removes the reference to a sum of \$700,000 in the permanent
revolving fund of the veterans' aid fund.

2003 SENATE APPROPRIATIONS

HB 1117

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Deanna Holladay
Operator's Signature

10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1117 & Vote

Senate Appropriations Committee

☐ Conference Committee

Hearing Date: 3-13-03

Tape Number	Side A	Side B	Meter #
2	X		2127- 2800
Committee Clerk Signature <i>Sandra Davison</i>			

Minutes: CHAIRMAN HOLMBERG opened the hearing to HB 1117. A bill relating to use of moneys in the permanent revolving fund of the veterans' aid fund. It came from the House although it has no fiscal impact, it is an Appropriations bill.

(Meter 2127) RAY HARKEMA, commissioner of Veterans Affair testified in support of HB 1117. See written testimony Exhibit 1.

(Meter 2477) SENATOR MATHERN moved a DO PASS and a seconded by SENATOR ROBINSON. (Meter 2549) SENATOR THANE stated it is an engrossed bill and he doesn't see the changes from the original bill. (Meter 2621) CHAIRMAN HOLMBERG asked for an explanation of the original bill to the engrossed bill. (Meter 2624) RAY HARKEMA stated that on the original century code is states that the fund is the amount of \$700,000 and the House removed that because there is not \$700,000 in that fund.

(Meter 2665) A voice roll vote was taken and the bill passed with 12 yeas, 0 nays and 2 absent.

SENATOR THANE will carry the bill. Closed the hearing to HB 1117.

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Donna Holmberg
Operator's Signature

10/2/03
Date

Date: 3
Roll Call Vote #:

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1117

Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Mather Seconded By Robinson

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair	✓				
Senator Andrist	✓				
Senator Christmann	✓				
Senator Kilzer	✓				
Senator Krauter					
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mather	✓				
Senator Robinson	✓				
Senator Schobinger					
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Thane

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

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Operator's Signature

12/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 11:07 a.m.

Module No: SR-44-4656
Carrier: Thar
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1117, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).
Engrossed HB 1117 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-44-4656

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Deanna Holmberg
Operator's Signature

10/2/03
Date

2003 TESTIMONY

HB 1117

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Deanna Gallardo
Operator's Signature

10/2/03
Date

Chairman and members of the Appropriations committee, I am Ray Harkema, Commissioner of Veterans Affairs for the state of North Dakota. I thank you for allowing me the time to appear before you concerning House Bill 1177.

H.B. 1177 is to clarify legislative intent concerning use of the Veterans Aid Loan Fund. The bill is a result from a recommendation we received in our last audit by the State Auditor's Office.

N.D.C.C. 37-14-03.3 states the fund must be used solely for the purpose of making loans to veterans and to a surviving spouse of a veteran. It also provides for using any interest the fund accrues to collect loans.

N.D.C.C. 37-14-11 states the department may expend for any purpose necessary not to exceed the amount appropriated by the legislative assembly.

H.B. 1177 helps to define the usage of the Fund by stating the moneys are available for making loans, collecting loans, and paying administrative expenses.

I ask that you vote a do pass on H.B. 1177. Thank you.

CHAPTER 37-10

ARMORIES

37-10-04. Use of armories by other organizations - Regulations governing. The use of armories for the regular meetings or functions of patriotic societies or recognized military servicemen's organizations holding charters from Congress or incorporated in this state must be granted by the adjutant general or by the officer in charge of any armory at such times and under such circumstances as not to interfere with the use of the armory for military purposes by the company or companies quartered therein. The use of an armory by a society or organization is subject to the rules and regulations in force governing the use of armories.

CHAPTER 37-14

VETERANS' RELIEF AND REHABILITATION

37-14-03. Veterans' aid fund. The state treasurer shall keep in the state treasury the separate trust fund known as the veterans' aid fund. Disbursements from such fund must be made as provided in this chapter.

37-14-03.3. Revolving fund. The sum of seven hundred thousand dollars is a permanent revolving fund of the veterans' aid fund and may not revert to the general fund and must be used solely for the purpose of making loans to any veteran as defined by section 37-01-40 and to a surviving spouse of a veteran if the spouse has not remarried. This section does not prohibit the department of veterans' affairs, in its discretion, from using any interest the fund accrues or has already earned or accrued to collect loans if in the opinion of the department a person has the financial means to repay, and that person deliberately refuses to do so.

37-14-04. Veterans' aid fund - Purpose. The purpose of the veterans' aid fund is to make loans or advancements to any veteran as defined by section 37-01-40 and to a surviving spouse of a veteran if the spouse has not remarried. A qualified applicant may be permitted to make more than one loan providing the applicant has satisfied payment requirements of a previous loan.

37-14-05. Application for aid. A qualified person may apply to the department of veterans' affairs in such form as it provides, either while the applicant is waiting for relief or assistance from another agency, state or federal, or for further assistance for the applicant's education, or otherwise.

37-14-06. Department may provide aid. If the department of veterans' affairs is satisfied that an applicant is a veteran, as defined by section 37-01-40, or the surviving spouse of a veteran and has not remarried, and that the applicant is a citizen and resident of this state, the department may loan to the applicant, or a guardian of the applicant, a sum from the veterans' aid fund not to exceed five thousand dollars.

37-14-07. Repayment to be made to aid fund. Upon the granting of an application and at the time of disbursement, the applicant, or the applicant's legally appointed guardian, shall execute an agreement with the department of veterans' affairs that within a specified period of not to exceed four years from the date of the receipt of the last item of the advancement, the applicant will repay to the state for the use of the veterans' aid fund the full amount of all advancements made to the applicant with interest as provided in rules adopted under section 37-14-10, but not to exceed ten percent annually. One-half of the interest must be waived if timely repayment is made to the fund. The department may take necessary legal action to collect, compromise, or settle loans if in the opinion of the department the person has the financial means to repay, and the person deliberately refuses to do so. The department may release from financial liability any person it determines is financially unable to repay the loan through no fault of the person.

37-14-08. How payments are made. All payments or other expenditures approved by the department of veterans' affairs must be made upon vouchers approved by the office of the budget.

37-14-09. Records - Biennial report. The department of veterans' affairs shall keep full records and files of all transactions, applications, advancements, and business pertaining to the veterans' aid fund. The department may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04.

37-14-10. Committee may adopt rules. The administrative committee on veterans' affairs may make and promulgate such reasonable rules and regulations as may be necessary and proper to administer the provisions of this chapter relating to the veterans' aid fund. In any hearings or action taken under the provisions of this chapter, the provisions of chapter 28-32 do not apply.

37-14-11. Payment of expenses - Limitation. The department of veterans' affairs may expend for any purpose necessary to the proper administration of this chapter sums not to exceed the amount appropriated therefor by the legislative assembly. Vouchers must be issued in the manner provided in this chapter.

37-14-12. Decision of department appealable. The department of veterans' affairs may grant or refuse an application for relief or assistance from financial assistance programs under the control of the department under policies set by the administrative committee on veterans' affairs. The committee shall adopt and establish an appeal process. The department's decisions are appealable to an appeals committee appointed by the chairman of the administrative committee, and the decision of the committee is final.

37-14-14. Veterans' postwar trust fund. The veterans' postwar trust fund shall be a permanent trust fund of the state of North Dakota and shall consist of moneys transferred or credited to the fund, pursuant to the provisions of this chapter and of other laws. Investment of the fund shall be the responsibility of the state treasurer who shall have full authority to invest the fund only in those legal investments authorized by section 21-10-07. All income received from investments is to be utilized only for programs of benefit and service to veterans as defined in section 37-01-40, or their dependents, and such income is hereby appropriated to the administrative committee on veterans' affairs on a continuing basis for expenditure upon such programs as authorized by law.

37-14-18. County veterans' service officer - Appointment - Duties. The board of county commissioners of each county of the state of North Dakota may appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer. Such appointment must be made with the prior advice of the commissioner of veterans' affairs, and in accordance with veterans' preference as provided in section 37-19.1-02. It is the duty of such county veterans' service officer to become acquainted with the laws, both state and federal, enacted for the benefit of returning servicemen and servicewomen to assist such returning members of the armed forces in the presentation, proof, and establishment of such claims, privileges, and rights as they have. It also is the duty of the county veterans' service officer, under the supervision of the state commissioner of veterans' affairs, to actively cooperate with and to coordinate the activities of the state and federal agencies within the county which the officer serves to facilitate their operation and ensure promptness in the solution of the problems concerned with the reestablishment of returning servicemen and servicewomen in civilian pursuits.

37-14-19. Salary and expenses of county veterans' service officer. The county veterans' service officer must be paid such monthly salary for full-time or part-time work as the board of county commissioners deems commensurate with the needs of the situation, together with actual living expenses when absent from his established office upon official business in an amount not exceeding that allowed to state officials, upon itemized statements submitted by him and supported by subvouchers or receipts as provided by section 21-05-01 and his actual transportation expenses, which may not exceed the amounts provided by section 54-06-09, and must be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, verified by his affidavit and supported by subvouchers or receipts as provided by section 21-05-01.

Accounts Receivable

December 2002

There are **168** Active Veterans Aid Loans.

88% of all active accounts are current.

Of those 168 loans, **29** loan are in collection status in the amount of **\$28,230.49**.

Of the 29 collection accounts, **14** accounts have been sending in monthly payments.

\$263,285.32 is the Cash Balance for the Veterans Aid Loan fund.

\$307,511.12 is the Accounts Receivable amount owed.

\$570,796.44 is the Total Cash balance and Accounts Receivable.

\$35,532.03 is the Amount Delinquent on Active loans (30 days to one year and older).

\$9,274.70 is projected to be uncollectible. This figure was derived by:

- 10% of the 30-90 day delinquencies,
- 15% of the 90-180 day delinquencies,
- 25% of the 180- to one year delinquencies, and
- 35% of the 1 year and older delinquencies

If there has been no activity for three years, we at that time charge that account off our books as deemed uncollectible.

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Dennis Ball
Operator's Signature

12/2/03
Date

Bob Hanson

Proposed amendments to House Bill Number 1117
ND Veterans Coordinating Council
January 20, 2003

On page 1, line 1, change "section" to "sections".

On page 1, line 1, after "37-14-03.3" add "37-14-04, 37-14-06 and 37-14-14".

On page 1, line 2, after "fund" add "and definition of veteran for loan and grant programs of the department of veterans affairs".

On page 1, line, 9, after "by" replace "section 37-01-40" with "this section".

On page 1, after line 16, start a new line which would read, "4. For all loan and grant programs administered by the department of veterans affairs, veteran means a person who served in the Armed Forces of the United States on federal active duty for reasons other than training and has been discharged under other than dishonorable conditions."

SECTION 2. AMENDMENT. Section 37-14-04 of the North Dakota Century Code is amended and reenacted as follows:

37-14-04. Veterans' aid fund - Purpose. The purpose of the veterans' aid fund is to make loans or advancements to any veteran as defined by ~~in section 37-01-40~~ 37-14-03.3 and to a surviving spouse of a veteran if the spouse has not remarried. A qualified applicant may be permitted to make more than one loan providing the applicant has satisfied payment requirements of a previous loan.

SECTION 3. AMENDMENT. Section 37-14-06 of the North Dakota Century Code is amended and reenacted as follows:

37-14-06. Department may provide aid. If the department of veterans affairs is satisfied that an applicant is a veteran, as defined by ~~section 37-01-40~~ 37-14-03.3, or the surviving spouse of a veteran and has not remarried, and that the applicant is a citizen and resident of this state, the department may loan to the applicant, or a guardian of the applicant, a sum from the veterans' aid fund not to exceed five thousand dollars.

SECTION 4. AMENDMENT. Section 37-14-14 of the North Dakota Century Code is amended and reenacted as follows:

37-14-14. Veterans' postwar trust fund. The veterans' postwar trust fund shall be a permanent trust fund of the state of North Dakota and shall consist of moneys transferred or credited to the fund, pursuant to the provisions of this chapter and of the other laws. Investment of the fund shall be the responsibility of the state treasurer who shall have full authority to invest the fund only in those legal investments authorized by section 21-10-07. All income received from investments is to be utilized only for programs of benefit and service to veterans as defined in ~~section 37-01-40~~ 37-14-03.3, or their dependents, and such income is hereby appropriated to the administrative committee on veterans' affairs on a continuing basis for expenditure upon such programs as authorized by law.

Renumber lines accordingly.

offense could be
in the law of this state,
e, in his discretion, may
d to be turned over to the
made to the articles of
service, or to the armed
be deemed to include the
the and of all laws of this
all acts and regulations of
all laws of this state shall

its.
amendment of this section by
chapter 322, S.L. 1999 became
ust 1, 1999.

r out national guard —
rection, invasion, tumult,
roof, to provide a presence
unce to political entities in
tentia natural or environ-
ler into the active service of
governor may deem proper.
hereof, is called forth under
ws of the United States, the
troops or such part
troops is insufficient,
erve militia as the governor

Date.
9 amendment of this section by
of chapter 323, S.L. 1999 became
arch 23, 1999.

bodies prohibited — Ex-

ical enactments regulating parades,
5th 255.

papers. An individual dis-
s of the United States may
ividual's discharge from the
discharge, duly authenticated
ite, or duly certified records of
e armed forces in the office of
dual resides, unless the board
rent official. Any discharge
gnated official, may be made

available only to the following persons: the veteran, the parents, the
veteran's next of kin, the veteran's legal representative, a county veterans'
service officer, a veterans' organization service officer, the department of
veterans' affairs, or a designee of the veteran.

Source: S.L. 1943, ch. 178, § 1; R.C. 1943,
§ 37-0134; S.L. 1944 Sp., ch. 31, § 1; 1947,
ch. 248, § 1; 1957 Supp., § 37-0134; S.L.
1975, ch. 308, § 1; 1999, ch. 278, § 59; 2001,
ch. 120, § 1; 2001, ch. 319, § 1.

section 1 of chapter 319, S.L. 2001 became
effective August 1, 2001.

The 1999 amendment of this section by
section 59 of chapter 278, S.L. 1999 became
effective January 1, 2001.

Effective Date.

The 2001 amendment of this section by

37-01-35. Legalizing previous recordings. Where a recorder, or
designated official, has recorded discharge papers without charging the
recording fees provided by law, the recording is declared legalized. In no
such case may the recorder, or designated official, be held responsible in
cases where filing fees have not been collected.

Source: S.L. 1944 Sp., ch. 31, § 2; R.C.
1943, 1957 Supp., § 37-0135; S.L. 1999, ch.
278, § 60; 2001, ch. 120, § 1.

section 60 of chapter 278, S.L. 1999 became
effective January 1, 2001.

Effective Date.

The 1999 amendment of this section by

37-01-38. National guard operating fund. All income, collections,
and reimbursements of the North Dakota national guard from the United
States and from armory rentals must be deposited in the state treasury and
credited to a national guard operating fund. The state treasurer, upon order
of the director of the office of management and budget, shall make
semiannual transfers from the general fund appropriation for the mainte-
nance of the national guard to the national guard operating fund.

Source: S.L. 1965, ch. 181, § 15; 1989, ch.
116, § 4.

**37-01-40. Veteran and wartime veteran defined — Uniform
service dates for wartime veterans.**

1. A "veteran" is a person who has served on continuous federalized
active military duty for twenty-four months or the full period for
which the person was called or ordered to active military duty,
whichever is shorter, and who was discharged or released therefrom
under other than dishonorable conditions. A discharge reflecting
"expiration of term of service" or "completion of required service" or
words to that effect qualifies the shorter term of service as making
the person a veteran.
2. A "wartime veteran" is a person who served in the active military
forces, during a period of war or who received the armed forces
expeditionary or other campaign service medal during an emergency
condition and who was discharged or released therefrom under other
than dishonorable conditions. "Wartime veteran" also includes a
person who died in the line of duty in the active military forces, as
determined by the armed forces.
3. Period of service dates for a wartime veteran begins with the date of
any declaration of war by the Congress of the United States or the

beginning of an emergency condition recognized by the issuance of a presidential proclamation or a presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to presidential executive order and ending on a date prescribed by presidential proclamation or concurrent resolution of the Congress of the United States and dates determined by the United States department of defense.

Source: S.L. 1969, ch. 323, § 1; 1975, ch. 309, § 1; 1979, ch. 215, § 3; 1981, ch. 91, § 23; 1983, ch. 172, § 42; 1985, ch. 397, § 4; 2001, ch. 320, § 1.

Effective Date.

The 2001 amendment of this section by section 1 of chapter 320, S.L. 2001 became effective August 1, 2001.

37-01-42. Honorary high school diplomas — Veterans of World War II.

1. Any World War II veteran who did not receive a high school diploma may apply for an honorary high school diploma, provided:
 - a. The veteran entered the United States armed forces between September 16, 1940, and December 31, 1946, prior to completing the necessary high school graduation requirements; and
 - b. The veteran was honorably discharged from the United States armed forces.
2. In order to receive an honorary high school diploma, the veteran or a representative of the veteran shall complete an application on a form prescribed by the superintendent of public instruction. A county veterans' service officer shall certify the veteran's status as an honorably discharged veteran who served during the qualifying period to the superintendent of public instruction. The superintendent of public instruction shall forward the application to the school district in which the veteran last attended school before induction. If the school district no longer exists, the application must be forwarded to the school district that has jurisdiction. If a school district decides not to issue a diploma under this program, the veteran may apply to the superintendent of public instruction for the diploma.
3. The school district and the superintendent of public instruction shall review and either approve or deny each application received.
4. If a veteran who would have qualified for a diploma under this section is deceased, a family member of the veteran may apply for and, if approved, be awarded the veteran's honorary high school diploma.

Source: S.L. 2001, ch. 321, § 1.

2001, pursuant to an emergency clause in section 2 of chapter 321, S.L. 2001.

Effective Date.

The section became effective March 14,

**CHAPTER 37-02
ORGANIZATION OF MILITIA**

Section

37-02-06. Staff of governor.

37-02-06.

1. The staff
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 - b. An a consi laws general
 - c. An a consi laws general
 - d. Other nization State length exceed
2. The governor serve as duties of has been adjutant general.

Source: S.L. 189 § 1360; R.C. 1899, § S.L. 1909, ch. 165, S.L. 1915, ch. 187, S.L. 1941, ch. 221, § S.L. 1963, ch. 223, 1967 Supp., § 37-0 § 33; 2001, ch. 322,

Section

37-03-02. Assistant point Dutie
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Exhibit 1

HB 1117 PAGE 1

Chairman and members of the Appropriations committee, I am Ray Harkema, Commissioner of Veterans Affairs for the state of North Dakota. I thank you for allowing me the time to appear before you concerning House Bill 1117.

H.B. 1117 is to clarify legislative intent concerning use of the Veterans Aid Loan Fund. The bill is a result from a recommendation we received in our last audit by the State Auditor's Office.

N.D.C.C. 37-14-03.3 states the fund must be used solely for the purpose of making loans to veterans and to a surviving spouse of a veteran. It also provides for using any interest the fund accrues to collect loans.

N.D.C.C. 37-14-11 states the department may expend for any purpose necessary not to exceed the amount appropriated by the legislative assembly.

H.B. 1117 helps to define the usage of the Fund by stating the moneys are available for making loans, collecting loans, and paying administrative expenses.

I ask that you vote a do pass on H.B. 1117. Thank you.

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Operator's Signature

10/2/03
Date