

**2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1316**

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1316  
1/17/2019  
30979

- ☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Carmen Hart
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### Explanation or reason for introduction of bill/resolution:

Relating to maintenance of records of veterans' and veterans' dependents

### Minutes:

Attachments 1, 2
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**Chairman Kasper** opened the hearing on HB 1316.

**Rep. Pyle** appeared in support of the bill. HB 1316 updates century code verbiage to reflect the transfer and maintenance of veterans' records. This is a cleanup bill.

**Rep. Rohr:** Could you define mental hygiene on Page 2?

**Rep. Pyle:** I will defer the question to Lonnie Wangen.

**Lonnie Wangen, Commissioner of Veterans' Affairs**, appeared in support. The intention behind this bill stems from basically housekeeping to update verbiage. There were a couple of concerns that prompted it. In the past ND veterans have received discharge papers of all military members as they left the military. We have slowly processed out of having a paper copy and went to electronic digital copies which saves us a lot of storage. He pointed out some clarifications on Page 3, Line 29, and Page 1, 7-10. I am not sure about the hygiene part. This was reviewed by the attorney general's office and Part 6 was added when HIPPA became law.

**Chairman Kasper:** He asked Mr. Wangen to provide a sample of the DD214. He also asked the law intern to see if he could find the information about mental hygiene on Page 2. Attachments 1 and 2.

**Jim Nelson, ND Veterans' Legislative Council**, appeared in support.

**Rep. Louser:** If this was HIPPA it references a state department, not the state. If there is one, they are given authority to provide information and medical records. I do not think it references our state as having that agency.

**Chairman Kasper:** We will have the law intern find out. He closed the hearing.

# 2019 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1316  
1/31/2019  
31923

- ☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Carmen Hart
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### Explanation or reason for introduction of bill/resolution:

Relating to maintenance of records of veterans' and veterans' dependents

### Minutes:

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**Chairman Kasper** opened the meeting on HB 1316.

**Rep. Rohr:** She read the phrase from Claire Ness about mental hygiene. (:50-1:27)

**Rep. B. Koppelman:** I don't know if we would want to change the term until we know what the consequences might be.

**Rep. Karls:** I think the more modern term is behavioral health, and I know we have a director of behavioral health.

**Rep. Louser:** This says a department. I think Claire's explanation was appropriate, and this committee can act on this bill.

**Rep. Rohr:** This was on Page 2, Line 24.

**Rep. Vetter made a motion for a DO PASS.**

**Rep. Schauer seconded the motion.**

**A roll call vote was taken. 14-0, 0 absent.**

**Rep. Johnston will carry the bill.**

Date: 1-31-19  
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1316**

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Rep. Vetter Seconded By Rep. Schauer

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	<u>X</u>		Rep. Pamela Anderson	<u>X</u>	
Vice Chair Vicky Steiner	<u>X</u>		Rep. Mary Schneider	<u>X</u>	
Rep. Jeff Hoverson	<u>X</u>				
Rep. Craig Johnson	<u>X</u>				
Rep. Daniel Johnston	<u>X</u>				
Rep. Karen Karls	<u>X</u>				
Rep. Ben Koppelman	<u>X</u>				
Rep. Vernon Laning	<u>X</u>				
Rep. Scott Louser	<u>X</u>				
Rep. Karen Rohr	<u>X</u>				
Rep. Austen Schauer	<u>X</u>				
Rep. Steve Vetter	<u>X</u>				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Johnston

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

**REPORT OF STANDING COMMITTEE**

**HB 1316: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1316 was placed on the Eleventh order on the calendar.

**2019 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1316**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

HB1316  
3/21/2019  
#34093

☐ Subcommittee  
☐ Conference Committee

Committee Clerk: Pam Dever

### Explanation or reason for introduction of bill/resolution:

Relating to maintenance of record of veterans' and veterans' dependents/

### Minutes:

Att #1 – Rep. Pyle

**Chairman Davison:** Let's open HB1316.

**Rep. Brandy Pyle, Dist. 22:** I am here to introduce this bill. (see att# 1) This is a cleanup bill. (1.43)

**Lonnie Wangen, N.D. Veterans' Affair Commissioner:** This is a house keeping bill. The discharge papers have always been paper copy. Now they are electronic. We go to critters and look at all the discharges from N.D. That information is on an Excel spread sheet. We can go to DOD and down load the paper copy. This creates an issue with Code to update. L.C. update the words. We feel that the documents need to be protected. So that was updated. On page 3, lines 29-31, was the discharge paper updates. We added the veterans' dependents because we serve the, also. (4.47) Any questions?

**Sen. Richard Marcellais:** Does the veteran still get a hard copy to register at their local court house.

**Lonnie:** Yes, and no. When the veteran gets out they get electronic. Some will get a disc and others a user name and password. You can go down load all your military records. (5.25) That includes the DD214. They are relying heavily on the electronic information.

**Chairman Davison:** More in support? Agency? Against? Hearing is closed. (6.10)

**Sen. Kristin Roers:** I move a DO PASS on HB1316. **Vice Chair Meyer:** I second.

**Chairman Davison:** Discussion? Call Roll: **YES -- 7 NO -- 0 -0-absent.**  
**HB1316 PASSED. Sen. Richard Marcellais will carry the bill.**

321-19

Date:  
Roll Call Vote #: 12019 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1316Senate Government and Veterans Affairs Committee☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
 Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Sen Roers Seconded By Sen Meyer

Senators	Yes	No	Senators	Yes	No
Chair Davison	<input checked="" type="checkbox"/>		Sen. Oban	<input checked="" type="checkbox"/>	
Vice Chair Meyer	<input checked="" type="checkbox"/>		Sen. Marcellais	<input checked="" type="checkbox"/>	
Sen. Elkin	<input checked="" type="checkbox"/>				
Sen. K. Roers	<input checked="" type="checkbox"/>				
Sen. Vedaa	<input checked="" type="checkbox"/>				

Total (Yes) 7 No 0Absent 0Floor Assignment Sen Marcellais

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

**REPORT OF STANDING COMMITTEE**

**HB 1316: Government and Veterans Affairs Committee (Sen. Davison, Chairman)**  
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1316 was placed on the Fourteenth order on the calendar.

**2019 TESTIMONY**

**HB 1316**

#1  
HB 1316  
1-17-19

CAUTION: NOT TO BE USED FOR  
IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD.  
SAFEGUARD IT.

ANY ALTERATIONS IN SHADED AREAS  
RENDER FORM VOID

### CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

This Report Contains Information Subject to the Privacy Act of 1974, As Amended.

1. NAME (Last, First, Middle)		2. DEPARTMENT, COMPONENT AND BRANCH		3. SOCIAL SECURITY NUMBER			
4a. GRADE, RATE		5. DATE OF BIRTH (YYYYMMDD)		6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD)			
7a. PLACE OF ENTRY INTO ACTIVE DUTY		b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known)					
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND			b. STATION WHERE SEPARATED				
9. COMMAND TO WHICH TRANSFERRED				10. SOLI COVERAGE <input type="checkbox"/> NONE AMOUNT: \$			
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)		12. RECORD OF SERVICE		YEAR(S)	MONTH(S)	DAY(S)	
		a. DATE ENTERED AD THIS PERIOD		2013	08	01	
		b. SEPARATION DATE THIS PERIOD		2014	03	31	
		c. NET ACTIVE SERVICE THIS PERIOD		0000	07	30	
		d. TOTAL PRIOR ACTIVE SERVICE					
		e. TOTAL PRIOR INACTIVE SERVICE					
		f. TOTAL PRIOR SERVICE					
		g. TOTAL PRIOR TRAINING					
		h. EFFECTIVE DATE OF PAY GRADE					
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)		14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed)					
AFGHANISTAN CAMPAIGN MEDAL // IRAQ CAMPAIGN MEDAL // GLOBAL WAR ON TERRORISM EXPEDITIONARY MEDAL // KOSOVO CAMPAIGN MEDAL		COMBAT MEDIC TRAINING, 16 WEEKS, 2013/ /NOTHING FOLLOWS					
15a. COMMISSIONED THROUGH SERVICE ACADEMY				YES	NO		
b. COMMISSIONED THROUGH ROTC SCHOLARSHIP (10 USC Sec. 2107a)				YES	NO		
c. ENLISTED UNDER LOAN REPAYMENT PROGRAM (10 USC Chap. 120) (If Yes, name of commitment, )				YES	NO		
16. DAYS ACCRUED LEAVE PAID		17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION		YES	NO		
18. REMARKS							
BASIC COMBAT TRAINING, 9 WEEKS, 2013/ /NOTHING FOLLOWS							
Does not qualify individual for Veteran status							
The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.							
19a. MAILING ADDRESS AFTER SEPARATION (Include ZIP Code)				b. NEAREST RELATIVE (Name and address - include ZIP Code)			
20. MEMBER REQUESTS COPY 6 BE SENT TO (Specify state/locality)				OFFICE OF VETERANS AFFAIRS		YES	NO
a. MEMBER REQUESTS COPY 3 BE SENT TO THE CENTRAL OFFICE OF THE DEPARTMENT OF VETERANS AFFAIRS (WASHINGTON, DC)						YES	NO
21.a. MEMBER SIGNATURE		b. DATE (YYYYMMDD)		22.a. OFFICIAL AUTHORIZED TO SIGN (Typed name grade, title, signature)		b. DATE (YYYYMMDD)	

### SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION		24. CHARACTER OF SERVICE (Include upgraded)	
Should state "Expiration of Term of Service", "Retirement", "Release from active & transferred to reserve" or something similar		Must be anything BUT "DISHONORABLE", text should align to the left of the box	
25. NARRATIVE REASON FOR SEPARATION			
Should state "Completion of Required Active Service", "Transfer to Reserve Component" or something similar			
26. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMDD)		27. MEMBER REQUESTS COPY 4 (Include)	

#2  
HB 1316  
1-17-19

[8:20 2019/18/1 AM] Ness, Claire J.:

That phrase refers to any state's (not just ND's) department of mental hygiene - or their equivalent of DHS. Mental hygiene is an outdated term, but it might be used in a federal law on which this was based. The attorney for the Department of Veterans Affairs worked on this with our office, and this issue did not come up. If the committee wants to use a more modern term, it would probably be ok., but I don't know what the alternative terms would be. Not every state has a DHS and not every DHS would be tasked with this.

perhaps "mental health"

2.21.19

Rep. Brandy Pyle  
HB 1316 Testimony

HB 1316  
3-21-19  
att #1  
PS1

Good morning Chairman Davison and members of the GVA committee. For the record, I am Representative Brandy Pyle from District 22. I am here to introduce HB 1316 for consideration. HB 1316 updates century code verbiage to reflect the transfer and maintenance of veteran's records. This is a clean up bill and I have Commissioner Lonnie Wagen here to testify to the bill.

Thank you chairman and committee for the opportunity to speak before you, and I stand for questions, that I will probably refer to the commissioner.