

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2229

2001 SENATE APPROPRIATIONS

SB 2229

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2229

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 23, 2001

Tape Number	Side A	Side B	Meter #
Tape #2	x		26.4 - 44.0
Committee Clerk Signature <i>Jonnie Pietsch</i>			

Minutes:

Senator Nething opened the hearing on SB2229.

Senator Larry Robinson, State Senator from District 24, Barnes County, testified in support of SB2229 ( a copy of his written testimony is attached).

John L. Jacobsen, representing the Legislative Committee of the North Dakota Veteran's Coordinating Council, testified in support of SB2229 ( a copy of his written testimony is attached).

Senator Bowman: Have you looked into the possibility of adding \$5-10 on the annual legion/VFW unit's dues -- the added amount to be put into the cemetery endowment fund? I for one would be proud to pay the additional sum.

John L. Jacobsen: To the best of my knowledge that has not been tried. We are governed by federal statute.

Senator Bowman: This would be over and above your regular dues that are federally governed.

John L. Jacobsen: It is a possibility -- will take it back to the organization.

Gary Helgeson, Bismarck; appeared on behalf of the North Dakota Veterans Cemetery Foundation in support of SB2229 ( a copy of his written testimony is attached).

Senator Nething: What is the total dollar amount the foundation needs?

Gary Helgeson: No number available; there is a \$40-45 thousand investment annually (salary etc.). My personal estimate would be \$3 million.

John W. Dwyer, registered lobbyist (#075), National Guard Association of North Dakota, Inc., testified, on behalf of the National Guard Association of North Dakota, Inc. in support of SB2229.

Jim Coats, veteran, testified in support of SB2229. He indicated that the cemetery is fast approaching the 1500 interment mark; last week there were 6 burials and 3 scheduled for tomorrow. With support such as this bill, the facility can stay a class a cemetery - one that anyone can be proud to visit/drive by.

Senator Andrist: Any veteran that wishes can be buried there? Is there an assessment on a voluntary or required sum?

Jim Coats: Yes. No demand on the cemetery's part for an assessment. However, there is always some dollar contribution by family/friends.

No additional testimony, for or against SB2229. Hearing closed by Senator Nething.

Subcommittee assignment: Senator Andrist, Chair

Senator Thane and Senator Tomac

February 13, 2001 Full Committee Action (Tape #3, Side A, Meter No. 17.8-29.4)

Senator Nething reopened the hearing on SB2229.

Senator Andrist, Chair of the Veterans' Subcommittee, presented amendments #10506.0101. He explained the purpose of same.

Senator Andrist moved the amendments be adopted; Senator Solberg seconded. Adopted by verbal vote.

Discussion on bill.

Senator Andrist moved a DO PASS AS AMENDED; Senator Solberg seconded it. Roll Call

Votes: 14 yes; 0 no; 0 absent and not voting.

Senator Andrist accepted the floor assignment.

Date: 2/13-01

Roll Call Vote #: 1

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2229**

Senate Appropriations Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 1050610101

Action Taken Do Pass as Amended

Motion Made By Sen Andrist Seconded By Sen Solberg

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 14 No 0

Absent 0

Floor Assignment Senator Andrist

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

**REPORT OF STANDING COMMITTEE**

**SB 2229: Appropriations Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2229 was placed on the Sixth order on the calendar.

Page 1, line 4, after "**APPROPRIATION**" insert "- **MATCHING FUNDS REQUIRED**"

Page 1, line 5, replace "\$247,500" with "\$123,750"

Page 1, line 7, after the period insert "The funding may be used only if matching funds of \$123,750 are received from federal, public, private, or other sources."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

The amendment changes the amount of the appropriation from the general fund from \$247,500 to \$123,750 and adds language allowing for the funds to be used only if \$123,750 in matching funds are received.

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2001 HOUSE APPROPRIATIONS

SB 2229

Is  
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2229

House Appropriations Committee

☐ Conference Committee

Hearing Date **March 12, 2001**

Tape Number	Side A	Side B	Meter #
I	x		1670 - 6216
I		X	0 - 911
Committee Clerk Signature <i>L. Danke</i>			

Minutes:

**HOUSE APPROPRIATIONS COMMITTEE HEARING ON SB2229.**

**Rep. Timm:** Opened the hearing on SB2229.

**Senator Robinson:** I appear before you today as sponsor of SB2229, this bill as amended will provide a general fund appropriation in the amount of \$123,750 for the Office of the Adjutant General for the purpose of operating the North Dakota Veteran's Cemetery for the upcoming biennium. A Veteran's Cemetery was enacted into law in March of 1989 the first burial took place on July 7, 1992 and since that time a total of 1482 individuals have been buried in this facility. In the year 2000 a total of 247 burials took place and an average of slightly more than 20 each month, the number of burials will increase each year for the next several years due to the number and the age of our World War II veteran's. Due to the fact that there are fewer Korean, Vietnam and Gulf War veteran's the numbers could slow down in the future, and I might add that most of you are aware that one of our former colleagues Rep. John Schneider will be buried in

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this facility tomorrow. There are a total of 20,000 burial plots in the current development site and of this number it is estimated that approximately 65% of these plots will be tiered meaning that at least two burials will be made in each grave, based on preliminary estimates it will be 140 years before the current site will be filled up. There is available an additional 40 acres for expansion of the current site. When the cemetery was first started the belief at that time was that a large part if not all of the funding would come from the gaming to operate the facility and build up a trust fund to allow for the continued and perpetual care of this facility. We all know what has happened to charitable gaming in North Dakota over the last number of years, since 1991 donations and income in excess of \$1.2 million in revenue has been generated to fund the operations of the cemetery, these dollars have come from donations, interest earnings from the veteran's post war trust fund and the sale of veteran's cemetery license plates. Prior to 2000 the cemetery was not allowed the \$150 burial allowance allowed for burying veteran's the congressional delegation in Washington was able to have a provision passed into law allowing for the cemetery to begin receiving these funds as of this past November. The Black Hills cemetery in South Dakota is approximately the same size as our cemetery, they have 8 full time year round employees, we have 3 full time employees. Minnesota has just funded with general fund dollars a veteran's cemetery in Little Falls and in addition the veteran's cemeteries in Wisconsin are all funded with general funds dollars, our veteran's cemetery is on of the premier veteran's cemetery's in the nation. Mr. Chairman and members of the committee it is time for us to step to the plate and assist with the funding of the operation of this facility with general fund dollars. I urge your favorable consideration of SB2229, I would certainly attempt to answer any questions if there are questions from the committee and there are a number of folks from the

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veteran's organizations including the former Adjutant General, General MacDonald who is with us today to further explain the bill and the rationale behind the bill and answer further questions.

**Rep. Delzer:** What's the cost on the veteran's license plates?

**Sen. Robinson:** I am going to defer that question, I have that in my file upstairs and I did not bring that with me and I apologize, but the folks that are with me could get into that.

**Rep. Delzer:** Did you talk to the folks about raising that fee to come up with more money?

**Sen. Robinson:** We talked about a number of possibilities, and if you look at the original bill prior to the amendment on the senate side. The feeling was that we actually need twice this amount of money, twice this amount of money to allow that fund to grow, so at some point from 6 to 8 years we are in a situation where we can reduce it if not eliminate the general fund appropriation, the fund is not able to grow because we are taking money from it and that's the reason for the appropriation. The folks here today can speak to a number of discussions that have taken place to address the issue of funding, and I think the bottom line is the price that our veteran's have paid and the good work they have done in protecting and securing the democracy that we enjoy, we feel this is a small price to pay, all of us should be stepping up to the plate in honor and recognition of our fallen veteran's.

**Rep. Delzer:** Did you ask about doubling the fee and what did they say?

**Sen. Robinson:** We did not explore that option specifically and I apologize, I didn't mean to evade the question, we talked about a host of things and the veteran's have looked at a host of opportunities. That particular issue wasn't focused on and in light of the feeling on the part of many of us that is a responsibility that should qualify for a very small appropriation from the general fund.

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**Rep. Delzer:** If I may make a statement, I served on the "91" veteran's affairs committee and I know one of the major selling points of this was that it would never take general fund money and things change but I still believe that people's word should be people's word and I guess I have been convinced yet that I can support this.

**Sen. Robinson:** This is certainly not the first entity and nor will it be the last that has found themselves in a situation where we are back to the state and we can go on down that road and I don't think that's a wise thing for us to do at this point in time. Partly due to legislative action over the years we have curtailed the gaming activity with the taxation on that industry to the point where the dollars aren't there, we also have an impact with the casinos and a whole lot of things have changed, one thing that hasn't changed is the commitment that our veteran's made to this country and in my opinion this is a very small commitment on our part to honor and recognize those veteran's in a beautiful facility and if you haven't been out there is certainly worth the trip.

**Rep. Timm:** I see that the senate cut the appropriation in half, is that right?

**Sen. Robinson:** Out of concern for a very tight budget we reduced it by 50%.

**Rep. Martinson:** Basically you are saying that it would take about \$247,000, and I think one of the problems I have with the requirement for the matching funds is you raise that money that doesn't get put into the trust and then were back in two years with the same problem. I think that we should just face up to the fact that we have a beautiful cemetery out there, and some may not like it but were going to have to put general fund money into it, but the fact of the matter is we will, its a real honor to the folks that over there, and I have a nephew that's there and I just think we should just face up to the fact and put some money into and even a little extra, but it looks to me, there was a little comment before my question, and it doesn't look like your investment

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income is very good. Who is managing that money for you and should we put that someplace else or allow some more flexibility or something?

**Sen. Robinson:** I can't answer that question, based on the bill before you at \$100,000 and some dollars it certainly a giant step if you will to help the overall picture, would it resolve the issue out there, not entirely, were going to looking at more and more years to get to the point where we can grow that fund and the interest earnings are positioned to address the overall operation. That's the problem.

**Rep. Martinson:** It looks to me like your return is only 5% that's hardly passbook, \$42,000 on \$837,000 of assets is not particularly good.

**Sen. Robinson:** I certainly can't speak to that issue, but there are those here that can and would be happy to explain that investment policy.

**Rep. Byerly:** One of the primary methods that the cemetery is raising funds through donations, the only thing that I see was that there was \$120,000 worth of donations last year. Do you know anything more about that?

**Sen. Robinson:** I believe the explanation and the exact breakdown, the folks can certainly provide for the committee from a host of sources, clubs, individuals, families and so on who have loved ones in that facility and some of the military clubs across the state, such as the Legions, VFW's and so on are also participants in that process.

**Rep. Byerly:** Were you one of the original sponsors of the bill that established the cemetery?

**Sen. Robinson:** I was not, but I'm a supporter of facility, and like my communities and most communities is very strong in the military organizations. We have a very large number of veteran's who are very active in veteran's organizations and I might add that one of our large clubs the VFW in Valley City certainly is supportive of this facility. There charitable gaming

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activity is way down and I also know that from my full time role as a foundation officer raising money for the university in Valley City, charitable gaming I down, and its down big time and no one predicted the decline in charitable gaming that we have experienced over the last couple of years.

**Rep. Byerly:** Have you personally made a donation to the cemetery?

**Sen. Robinson:** I have not and I would be happy to do so.

**Rep. Timm:** Any other questions for Senator Robinson?

**Rep. Delzer:** I'm looking at the veteran's post war trust fund and I see in the 99-01 biennium there is a \$105,000 that goes to the veteran's cemetery and its projected for zero to go to veteran's cemetery for the 01-03 biennium, and yet there fund balance is \$4,714,000 and looking at it I see in 91 we transferred \$1.5 million from the general fund to the post war veteran's trust fund. Would you care to elaborate on why there is projected to be nothing going for this in the next biennium.

**Sen. Robinson:** You asked a great question, but your asking it to the wrong person, I do not have that schedule in front of me, I have reviewed some of that information and I have a file on the floor. The folks here can answer those questions and answer them with specificity and accuracy that I cannot at this time.

**Rep. Aarsvold:** My recollection was that we were obligated under court order to replace those dollars that we had misappropriated from a previous biennium.

**Rep. Delzer:** The thing here says it replaces \$95,000 which was not transferred 89-91 biennium.

**Sen. Robinson:** Your probably right and I don't know.

**Rep. Aarsvold:** That's my recollection at least that we were obligated under court order to reimburse the post war trust fund for an in appropriate appropriation.

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**Sen. Robinson:** I think Rep. Aarsvold is exactly right, but again the folks here have the knowledge, the experience and background to answer those questions in detail..

**Rep. Timm:** Any further testimony in support of SB2229?

**Mr. Alex Macdonald, President of the North Dakota Veteran's Cemetery Foundation.**

**Followed written testimony and answered questions after testimony.**

**Rep. Delzer:** The \$15 dollar license fee it has been stated that \$5 goes to DOT and \$5 goes to the veteran's cemetery, where does the other \$5 go to? Do you know? Which other state trust fund?

**Legislative Council Personnel:** The other \$5 goes to the Veteran's Cemetery Trust fund. There are two trust funds out there, one is the state trust fund which that \$5 plate fee is deposited into and that's called the Veteran's Cemetery Trust fund. A lot of discussion this morning has centered around another trust fund called the North Dakota Veteran's Foundation, and that is a non state foundation that Mr. Macdonald is speaking to that has the trust fund that has approximately \$800,000 dollars in it and the end of the year, that is a non state foundation trust fund that they set up.

**Rep. Delzer:** If I get this right, currently the \$10 is all going to the veteran's cemetery and one is going directly to the cemetery and one is going to this fund that is trying to build up for perpetual maintenance. Is that correct?

**Legislative Council Representative:** That is correct.

**Mr. Macdonald:** That's not the trust fund that I was speaking about, its a different trust fund.

**Rep. Timm:** The trust fund that she is referring to, does that help with the maintenance at the cemetery Mr. Macdonald or don't you know?

**Mr. Macdonald:** It gives us a little bit of money about 5%.

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**Rep. Timm:** Is there somebody here that can answer that, is there a manager of the cemetery or someone who is in charge here?

**Mr. Ron Gagness, Representative of the Office of the Adjutant General.**

I'm here not to testify in favor of or against, being a state agency we are neutral on the issue but to answer any questions you may regarding the financial operations as passed through our budget, your question regarding the license fees, as was stated \$5 goes to DOT and \$5 goes into the Veteran's Cemetery Trust Fund and none of that \$5 can be spent but any of the interest earned off that trust fund can be spent for maintenance of the cemetery by the National Guard., and the remaining \$5 goes directly into that maintenance account immediately for maintenance of the cemetery.

**Rep. Timm:** Does the National Guard spend that money at the cemetery, or can they spend it anyway they want to?

**Mr. Gagness:** It can only be spent at the cemetery, it goes into an account set aside specifically for the cemetery maintenance.

**Rep. Timm:** What does the DOT do with their \$5

**Mr. Gagness:** I assume the \$5 they get is for the administrative costs in processing the special license plates, I can't answer the question.

**Rep. Timm:** You have to pay the regular fee for the license plate plus another \$15.00 right?

**Mr. Gagness:** Yes sir.

**Rep. Delzer:** What's the level of the state fund then? And what's the interest?

**Mr. Gagness:** The current information that I have as of January 18th is that the cash on hand in that fund is \$30,301, out of that \$30,000, \$19,135 has been from license plate sales and there has

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been close to \$9000.00 in direct donations to that trust fund and there has been \$2200 of interest accrued to date on that fund.

**Rep. Delzer:** What kind of yearly generation is done with the \$5.00 fee?

**Mr. Gagness:** For this biennium we were anticipating \$16,000 in license plate income for the entire biennium and I would assume if license plate sales stay consistent that would hold true for the following biennium also.

**Rep. Delzer:** Do you have anything to do with the veteran's post war trust fund?

**Mr. Gagness:** No sir, other than request the funds to support the veteran's cemetery salaries.

**Rep. Delzer:** Did you request any funds out of the post war trust fund for this upcoming biennium?

**Mr. Gagness:** We would not go through that process until we hit the biennium, we have informed the veteran's coordinating council that administers that fund of what the total requirement will be for the forthcoming biennium.

**Rep. Delzer:** Well what will it be? I see that you have gotten \$105,000 from the current biennium, if this does not pass is that what your expecting to ask for?

**Mr. Gagness:** Our current projected requirement for the biennium 01-03 is in round numbers \$248,000.

**Rep. Timm:** Any other questions? I think there is some other testimony, somebody else wants to testify in favor of this bill?

**Jim Coates, Primary sponsor of the Veteran's License plate.** I am a former House Member, a Korean and World War II veteran. This morning I stand in support of SB2229 to get an appropriation to maintain that beautiful cemetery out there, the legislature saw fit to give us, the veteran's of North Dakota, the citizens of North Dakota establish a veteran's cemetery, since

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that time there are 1510 interments out there. At 11:00 o'clock I'm going to have to be in the honor guard for the 1511th interment, tomorrow, you heard said that former Rep Schneider will be buried out there. On behalf of the 1510 families, spouses, I urge you to support this appropriation to maintain that beautiful site out there that all of us have earned the right to be interred out there. I have a DD214B that allows me to out there, my wife is going to join the other wives for coffee and before Rep. Byerly asked me I had made a \$500 plus donation for the establishment of that cemetery and its real tough to go out there 3 or 4 time a week and be on the honor guard and present the flag to the wife, son or daughter of that deceased veteran, so I stand in full support. Rep. Delzer, 555 is not enough and the World War II veteran's are dying off at the rate of 1000 per day nationwide, so I would be glad to answer any questions that the committee members might have.

**Rep. Timm:** Any questions of Mr. Coates?

**Rep. Delzer:** I was on the 91 committee along with you that passed this and I supported it then and I think the cemetery is a good deal, I have questions and problems with funding it with general fund, how would you as a veteran feel about another \$5 dollars on your license plate?

**Mr. Coates:** I haven't considered that, but I have had a sticker on my license plate since day one and I'm going to go over and renew that sticker right after this committee meeting.

**Rep. Timm:** I don't think the \$5.00 would raise enough money, it only raises about \$30,000. Any other questions of Mr. Coates? Any other testimony?

**Mr. Dwyer:** I serve as member of the North Dakota National Guard for the past 27 years and I am also the volunteer chairman of the legislative committee of the National Guard Association . You have heard the testimony from General MacDonald and Sen. Robinson and Mr. Coates and I don't really have anything to add except to say that the officer's association and the enlisted

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association of the North Dakota National Guard strongly support this bill and strongly support the appropriation, and I would be happy to try to answer any questions.

**Rep. Delzer:** How much does the guard help with maintenance over and above these three full time employees during the summer?

**Mr. Dwyer:** My understanding is that the guard basically takes care of all the different maintenance requirements.

**Rep. Timm:** You mean they actually send men out there and do the work, is that what you are saying?

**Mr. Dwyer:** Most are volunteers and I know that Bill Fromme is one of the individuals that spends I don't know how much time out there.

**Rep. Delzer:** Who ever can answer this, what are the duties of the 3 full time employees?

**Mr. Dwyer:** They open and close the graves, and basically to do all maintenance work for that facility, you probably need to go out there and watch them on a daily basis and see what is being done, but those folks are very busy with an average of 20 plus burials a month all year long and even through the winter, they are just 100% busy.

**Rep. Byerly:** Has there ever been a concerted fund raising effort within either the enlisted association or the officer's association of the National Guard, and I don't mean just a cursory thing, but a real effort at doing a fund raising.

**Mr. Dwyer:** General MacDonald has headed up the foundation which has as he indicated, has done substantial fund raising every year within the officer's and enlisted associations. I don't know if he has any other statistics that he could add on that, but I know that that answer is yes.

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**Rep. Martinson:** I could respond to that as a former member, when the General calls you and says, I want a least a payday of donations. I can assure you, with the officer's he put the bite on us pretty good.

**General MacDonald:** We sent out about 5000 letters twice a year, to various people on our mailing list, which certainly includes a large number of members and former members of the National Guard and that letter goes out requesting funds and that's where the majority of the \$100 plus thousand dollars a year that we raise comes from, are those individual letters.

**Rep. Delzer:** Can you tell me who handles the post war trust fund? Do you have anything to do with that? Are you on the committee that does that, I know its a veteran's committee.

**General MacDonald:** No I had nothing to do with the veteran's trust, the state administered trust fund that the license plate fees go into.

**Rep. Delzer:** No that's not the one that I am talking about, I'm talking about the veteran's post war trust fund which is a \$65 million dollar trust fund that is handled by the veteran's groups.

**General MacDonald:** No I have nothing to do with that

**Rep. Delzer:** I don't know who could answer this, but I guess I would like to know if anybody has any kind of thought about hiring a firm to do a full scale fund raiser to try to build this fund up to the point where the interest handles the cost of the maintenance personnel.

**Rep. Timm:** Can anybody answer that?

**General MacDonald:** That has come before, and now were back to the North Dakota Veteran's Cemetery Trust fund, the \$800,00 trust fund and I am president of that. That has come up before us several times and we chose not to do that because of the costs involved in that out of pocket front end costs on that and we feel that we can reach our goal and it just takes a little bit longer but we don't have those up front costs and there is no guarantee as to what we will receive.

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**Rep. Delzer:** What did you trigger your up front costs were going to be? How much were you going to pay?

**Mr. Dwyer:** I think I can answer that, as a former member and president of the Bismarek Park Board for eight years, and we did a lot of fund raising. Your looking about 10%, 15% to 20% Depending on large the campaign is , the larger the campaign the less the percentage, but to raise a million dollars your looking at \$150,000 to do that.

**Rep. Timm:** Any other testimony in support of SB2229?

**Mr. Ron Otto, Service Officer , Morton County.** There isn't another Service Officer that gets down to that cemetery more that I do, and as Jim Coats has said at 11:00 o'clock today, I'm going to go out as part of an honor guard, I'm going to say a prayer and I'm going to present a flag to a family that is going to bury their loved one at that cemetery, I placed my father there 18 months ago, this is one of the showpieces of veteran's cemetery's across the United States, there are operating this cemetery, and I work very closely with them. We have ladies going out there in the spring time making sure that our state cemetery is absolutely a showcase, volunteers are cutting the grass to make sure it is maintained well, people coming out there in the winter time to help with the administrative duties on a volunteer basis to make sure that everything runs smoothly. At times it gets to be very hectic out there, and everybody that I deal with is very amazed at the fact that we bury 12 months out of the year, that these people make a judgment call and work hard enough through all types of weather to make sure that these honored people that we are putting to rest out there have nice a place to go to. I don't think that coming back and asking for the small appropriation out of the general funds to help maintain that cemetery is a lot to ask for a state agency, and behalf of myself and the veteran's in Morton County, we put a lot of effort into that, as Rep. Boehm knows, the amount of effort that we put into that. As far as

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resources from the county itself, I am available to assist any veteran's family that comes into that cemetery if they request it, and my county commissioners haven't blinked an eye about that, the veteran's organizations haven't blinked an eye about it either, they are in support of that, they want to make sure that everybody who comes there to place a family member there is well taken care of, and as a state we need to ensure that. Any Questions?

**Rep. Timm:** Any questions? Any other testimony in support of SB2229?

**John Jacobson, Representing the Legislative Committee of the ND Veteran's Coordinating Council: (Followed Written Testimony) and answered questions after presenting his testimony.**

**Rep. Delzer:** What's the level of funding that you want to get the foundation trust fund up to?

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**Mr. Jacobsen:** About \$5 million dollars, no I'm sorry that should be \$3 million dollars.

**Rep. Timm:** Any other questions? Any other testimony?

**Bob Hanson, Former State Treasurer.** I dealt with the post war trust fund and maybe can help out with some of the questions that have come up. I come here today in support of this bill but also to respond to some of the questions. Let me first of all talk about the question that was raised about the license plates, that's a \$15 dollar additional fee every single year not just a one fee like on some others, and that program did not get off the ground like we had hoped it would and I think there is about 2000 to 4000 license plates, that doesn't help build up a trust fund very much, secondly on the post war trust fund, yes it was sort of a court decision, but it wasn't a legal court, it was a court of public opinion, it was an initiated measure that was put on the ballot in 1988 and the people voted to restore the money from what was a \$4 million dollar fund and only the income from that fund could be used to support programs that benefit the veteran's and their dependents, so that fund will really never grow up over \$4 million. The interest earnings will always be used, and let me tell you some of the things its been used for. He went on to speak about the uses for the fund dollars.

**Rep. Delzer:** A question for Legislative Council. Can you look up somewhere, I know last session we referenced out of the veteran's home using some of this post war trust money, can you look up and see whether we actually appropriated it or if we just said that if they wanted to spend it that's where they had to get it from and put it under special funds.

**Rep. Timm:** Any other testimony in support of SB2229? Any opposition to SB2229?

If not we will close the hearing on SB2229.

**End of Hearing on SB2229.**

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2229A.

House Appropriations Committee

☐ Conference Committee

Hearing Date March 21, 2001

Tape Number	Side A	Side B	Meter #
1	x		447 - 920
Committee Clerk Signature <i>L. Doulsen</i>			

Minutes:

**HOUSE APPROPRIATIONS ACTION ON SB2229A.**

**Rep. Timm:** Let's take action on SB2229A. Rep. Martinson would you like to explain your amendments to this bill.

**Rep. Martinson:** The amendments basically put the bill back to the way it was originally introduced and we tried to work with the folks to see how if there was some way that we work with some matching stuff or something to that effect but there were not guarantee's from the post war trust fund they might receive some money. My point here is, that I was here and a lot of you were here when the promises were made as usual that it will never cost the state any money and we have been down that road before, we have a cemetery there its a beautiful cemetery. If we don't give them the full amount of money to operate then they are going to have to dip into their trust fund and if they keep dipping into the principal on their trust fund they will never have enough money to operate it without state appropriations so I think we should just bite the bullet

and provide the money and hope that they can continue raising, they have about \$800,000 to \$900,000 in their trust fund and hopefully they can keep building on that, so with that I would move the adoption of these amendments. Seconded by Rep. Carlisle.

**Rep. Timm:** Any discussion? Were adding \$123,750 more to the general fund spending.

**Rep. Delzer:** I'm going to oppose this amendment, if we take a look at the veteran's post war trust fund there is an estimated balance of \$4.7 million dollars, and I know we have had these arguments before about how they say it should never have cost general fund money, that was a promise that was made in 1991, whatever, we don't need to go over that a whole lot, but this is the money for 3 FTE's and I don't know that the state has to furnish 3 FTE's out there, they do a lot with the National Guard and with others and I totally oppose the amendment, I think I might very well oppose the bill to.

**Rep. Wald:** What is the exact amount of the post war trust fund? Answer = \$4.7 million

**Rep. Martinson:** They don't feel that even with the \$247,500 that's enough so they will have to go out and raise additional money, but they are continually raising money, they send out letters quite frequently, they work the charities and try to raise the funds and I don't think they like coming back here every two years and have to admit that they were less than candid when they said that they wouldn't ever need any state money.

**Rep. Timm:** Any other discussion? All those in favor of adopting the amendment say AYE.

Voice Vote. Roll call vote was taken on adoption of amendments. (12) YES (9) NO .

Amendments are adopted.

**Rep. Martinson:** I move a DO PASS AS AMENDED. Seconded by Rep. Carlisle.

**Rep. Timm:** Any discussion? Call the roll for do pass as amended. (16) YES (4) NO (1) Absent and not voting. Rep. Martinson will carry the bill to the floor.

Date: 3-21-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB2229

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken ADOPTION of AMENDMENTS

Motion Made By \_\_\_\_\_ Seconded  
By \_\_\_\_\_

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman		<input checked="" type="checkbox"/>			
Wald - Vice Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Rep - Aarsvold	<input checked="" type="checkbox"/>		Rep - Koppelman		<input checked="" type="checkbox"/>
Rep - Boehm	<input checked="" type="checkbox"/>		Rep - Martinson	<input checked="" type="checkbox"/>	
Rep - Byerly		<input checked="" type="checkbox"/>	Rep - Monson		<input checked="" type="checkbox"/>
Rep - Carlisle	<input checked="" type="checkbox"/>		Rep - Skarphol		<input checked="" type="checkbox"/>
Rep - Delzer		<input checked="" type="checkbox"/>	Rep - Svedjan		<input checked="" type="checkbox"/>
Rep - Glassheim		<input checked="" type="checkbox"/>	Rep - Thoreson		<input checked="" type="checkbox"/>
Rep - Gulleason	<input checked="" type="checkbox"/>		Rep - Warner	<input checked="" type="checkbox"/>	
Rep - Huether	<input checked="" type="checkbox"/>		Rep - Wentz	<input checked="" type="checkbox"/>	
Rep - Kempenich	<input checked="" type="checkbox"/>				
Rep - Kerzman	<input checked="" type="checkbox"/>				
Rep - Kliniske	<input checked="" type="checkbox"/>				

Total (Yes) 12 No 9

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: 3/21/01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2229

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS AS AMENDED

Motion Made By MARTINSON Seconded By CARLISLE

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly		✓	Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol		✓
Rep - Delzer		✓	Rep - Svedjan		✓
Rep - Glassheim	✓		Rep - Thoreson		
Rep - Gulleason	✓		Rep - Warner	✓	
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman	✓				
Rep - Kliniske	✓				

Total (Yes) 16 No 4

Absent 1

Floor Assignment MARTINSON

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

2001 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2229

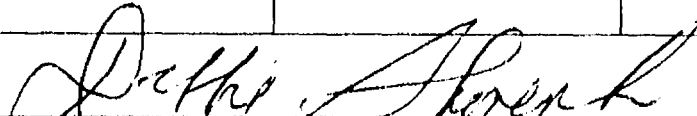
2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2229

Senate Appropriations

☐ Conference Committee

Hearing Date April 11, 2001

Tape Number	Side A	Side B	Meter #
Tape #3	X		0.0-8.2
Committee Clerk Signature 			

Minutes:

Senator Andrist opened the conference committee on SB 2229.

Senator Andrist: The request in this bill is for \$247,500 which is new money to care for the cemetery. We need to work to build the trust of the fund and to split the difference.

Representative Martinson: The cemetery fund really is short and could use an additional \$50,000 above this amount. There needs to be amendment with language include this in the Guard's general fund budget in the future.

Senator Andrist: Today we do have a problem with the aging process and we need a long term solution.

Representative Carlisle: I agree with that. We need to get this done now and put this in the Guard's budget in the future. This is a citizen show piece.

Representative Martinson: We have \$800,000 and need \$5 million and are moving in that direction.

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2229

Hearing Date April 11, 2001

Senator Thane: There are reservations with the Senate and not sure if they are ready to compromise at this time where the money comes from in the general funds.

Senator Andrist: It is not the matter of the general fund but using other resources as well as the pride of this funding with donations.

Senator Tomac: My position on this is the same and agree with the House on the funding and to put the language in the Guard budget in the future. We can't build this fund if we keep taking out of it.

Senator Thane: I don't think we can address this language in a conference committee.

Representative Aarsvold: I endorse the House's position and the veterans have spoken on the general fund support.

Senator Andrist: There was discussion in the Senate that focused to make this a grant or not, and I hate to lose it altogether. This is the first time with general funds and we need to settle or compromise. We will adjourn now and discuss settlement with our next meeting. We will have legislative council draft intent language to include this appropriation in the Guard budget for next session.

Conference committee closed.

Tape #3, Side A, meter 0.0-8.2

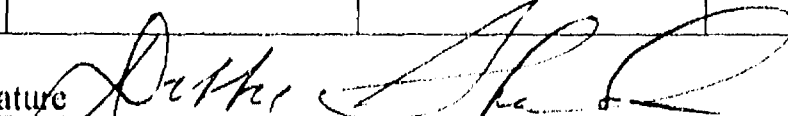
2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2229

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 16, 2001

Tape Number	Side A	Side B	Meter #
2	X		0.0-2.7
Committee Clerk Signature 			

Minutes:

Senator Andrist opened the second conference committee on SB 2229. All committee members present.

Senator Andrist: Handed out to the committee the layout plan (attached).

Senator Tomac: Move that the Senate accede to the House amendments. Seconded by Representative Martinson. Roll Call 4 yes, 2 no. Senator Andrist-no, Senator Thane-no, Senator Tomac-yes, Representative Martinson-yes, Representative Carlisle-yes, Representative Aarsvold-yes. Motion failed.

Senator Andrist: The total budget in this bill is around \$350,000 which includes \$101,000 for the maintenance center. The Trust fund interest is \$85,000 for income. \$160,000 from the general fund, this will not invade the trust fund.

Senator Thane made a motion for the comprehensive positions made by the Senate. There was no second to the motion.

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB 2229

Hearing Date April 16, 2001

Senator Andrist: We will adjourn now for another proposal and further ideas from the committee. Meeting adjourned.

Tape #2, Side A, 0.0-2.7

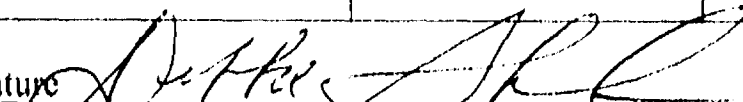
2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2229

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 18, 2001

Tape Number	Side A	Side B	Meter #
4	X		25.5-28.0
Committee Clerk Signature 			

Minutes:

Senator Andrist called the third conference committee to order on SB 2229, Veteran's Cemetery, all members present.

Senator Andrist: I gave you my recommendations to you at the last meeting now you can give us yours.

Senator Tomac: I make a motion that the Senate accede to the House Amendments. Seconded by Representative Martinson. Vote of the Committee was 4-2, motion failed.

Senator Andrist: Is there any other discussion or motions. With none, the meeting was adjourned.

Tape #4, Side A, meter 28.0

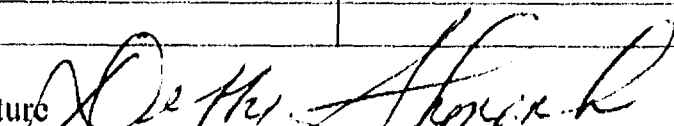
2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2229

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 20, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0-6.0
Committee Clerk Signature 			

Minutes:

Senator Andrist called to order the fourth conference committee on SB 2229, Veteran's Cemetery. Would anybody like to make a motion?

Senator Thane: I move that the House recede to the house amendments and to further amend SB 2229 to increase their appropriation to \$200,000. Seconded by Representative Carlisle.

Senator Andrist: Any discussion?

Senator Tomac: Just for clarification, I'm not sure I fully understood that, so now tell me what this means.

Senator Andrist: The appropriation is \$200,000.

Senator Tomac: From the general fund.

Senator Andrist: From the general fund, right.

Senator Tomac: Where do they get the rest of the money?

Senator Andrist: The original bill was \$124,000 there about, plus matching funds from other sources. So I suppose we would use what Senator Thane intended is to include the appropriation of \$200,000 from the general fund plus whatever else is needed from other sources to reach that level.

Representative Aarsvold: Those general funds dollars may not be accessed until the matching dollars are available from federal, public, private and other sources. So I think we should make the language more clear.

Senator Andrist: Is that language okay with you? So I assume Senator Thane's motion is to appropriate \$200,000 from the general funds or so much of the sum that is necessary to adjutant general, etc. (read bill).

Senator Tomac: The House amendments did not include the matching funds, I think the House amendments took a different approach, you don't match those funds, is the \$50,000 come in first or second, and where is it coming from?

Senator Andrist: I can't answer that, it didn't seem to be a point of contention at the time we adopted the original amendments, it was just a general fund appropriation. Does the House want to speak to that. The House removed the matching fund requirements. If this is a concern for the House, I would have no objection to removing the matching requirements. We will have to change Senator Thane's motion. We need to have the Senate recede to the House Amendments and further amending changing the appropriation to \$200,000. Any further discussion.

Representative Carlisle: Can someone read that motion to me now.

Senator Andrist: We have to put in there that we delete the language or last sentence of the amendment.

Page 3

Senate Appropriations Committee

Bill/Resolution Number SB 2229

Hearing Date April 20, 2001

Senator Tomac: Like Mr. Wolf had to say, we recede from the House amendments and further amend the House amendments to say \$200,000 instead of \$247,500. Other than that the amendments will stay the same except for the money amount.

Senator Andrist: Any further discussion. Role call vote, 6 yes, 0 no, 0 absent. Motion passed.

Hearing adjourned on SB 2229. Tape #1, Side A, meter 6.2.

Date: 4-16-01

Roll Call Vote #: \_\_\_\_\_

**2001 CONFERENCE COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2229**

**CONFERENCE COMMITTEE-North Dakota Veterans Cemetery Appropriation**

Legislative Council Amendment Number \_\_\_\_\_

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken \_\_\_\_\_

Motion Made By  
Senator/Representative Tomac

Seconded By  
Senator/Representative M. Martinson

Senators	Yes	No	Representative	Yes	No
Senator Andrist		✓	Representative Martinson	✓	
Senator Thane		✓	Representative Carlisle	✓	
Senator Tomac	✓		Representative Aasvold	✓	

Total Yes 4 No 2 Absent \_\_\_\_\_

Filed

Date: 4/16/01

Roll Call Vote #: \_\_\_\_\_

**2001 CONFERENCE COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2229**

**CONFERENCE COMMITTEE-North Dakota Veterans Cemetery Appropriation**

Legislative Council Amendment Number \_\_\_\_\_

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)  
the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_

☐ having been unable to agree, recommends that the committee be discharged and a  
new committee be appointed.

Action Taken \_\_\_\_\_

Motion Made By Senator/Representative THANE Seconded By Senator/Representative \_\_\_\_\_

Senators	Yes	No	Representative	Yes	No
Senator Andrist			Representative Martinson		
Senator Thane			Representative Carlisle		
Senator Tomac			Representative Aasvold		

*No Second*

Yal Yes \_\_\_\_\_ No \_\_\_\_\_ Absent \_\_\_\_\_

*THANE*

Date: 4-18-01

Roll Call Vote #: \_\_\_\_\_

**2001 CONFERENCE COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2229**

**CONFERENCE COMMITTEE-North Dakota Veterans Cemetery Appropriation**

Legislative Council Amendment Number \_\_\_\_\_

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) \_\_\_\_\_ - \_\_\_\_\_

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken \_\_\_\_\_

Motion Made By  
Senator/Representative Tom Ar

Seconded By  
Senator/Representative Martinson

Senators	Yes	No	Representative	Yes	No
Senator Andrist		✓	Representative Martinson	✓	
Senator Thane		✓	Representative Carlisle	✓	
Senator Tomac	✓		Representative Aasvold	✓	

tal Yes 4 No 2 Absent \_\_\_\_\_

Failed

10506.0203  
Title.  
Fiscal No. 1

Prepared by the Legislative Council staff for  
Conference Committee  
April 20, 2001

## PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2229

That the House recede from its amendments as printed on page 967 of the Senate Journal and pages 1034 and 1035 of the House Journal and that Engrossed Senate Bill No. 2229 be amended as follows:

Page 1, line 4, remove "- MATCHING FUNDS REQUIRED"

Page 1, line 6, replace "\$123,750" with "\$200,000"

Page 1, line 8, remove "The funding may be used only if"

Page 1, remove line 9

Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

#### Senate Bill No. 2229 - Adjutant General - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Veterans' Cemetery - Operation		\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
Total all funds	\$0	\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
Less estimated income						
General fund	\$0	\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

#### Dept. 540 - Adjutant General - Detail of Conference Committee Changes

	PROVIDE ADDITIONAL FUNDING <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Veterans' Cemetery - Operation	\$76,250	\$76,250
Total all funds	\$76,250	\$76,250
Less estimated income		
General fund	\$76,250	\$76,250
FTE	0.00	0.00

<sup>1</sup> This amendment provides a general fund appropriation of \$200,000 to the Adjutant General for operation of the Veterans' Cemetery. This level of funding represents \$76,250 more than the Senate proposed funding level of \$123,750 and \$47,500 less than the House proposed funding level of \$200,000. The amendment also removes the matching funds requirement which was added by the Senate and removed by the House.

Date: 4-20-01

Roll Call Vote #: \_\_\_\_\_

**2001 CONFERENCE COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2229**

**CONFERENCE COMMITTEE-North Dakota Veterans Cemetery Appropriation**

Legislative Council Amendment Number \_\_\_\_\_

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 967 - \_\_\_\_\_

- ☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken

Do Pass Further Action

Motion Made By  
Senator/Representative

Thane

Seconded By  
Senator/Representative

Carlisle

Senators	Yes	No	Representative	Yes	No
Senator Andrist	✓		Representative Martinson	✓	
Senator Thane	✓		Representative Carlisle	✓	
Senator Tomac	✓		Representative Aasvold	✓	

Total

Yes

6

No

0

Absent

0

**REPORT OF CONFERENCE COMMITTEE**

**SB 2229, as engrossed:** Your conference committee (Sens. Andrist, Thane, Tomac and Reps. Martinson, Carlisle, Aarsvold) recommends that the **HOUSE RECEDE** from the House amendments on SJ page 0967, adopt amendments as follows, and place SB 2229 on the Seventh order:

That the House recede from its amendments as printed on page 967 of the Senate Journal and pages 1034 and 1035 of the House Journal and that Engrossed Senate Bill No. 2229 be amended as follows:

Page 1, line 4, remove "- **MATCHING FUNDS REQUIRED**"

Page 1, line 6, replace "\$123,750" with "\$200,000"

Page 1, line 8, remove "The funding may be used only if"

Page 1, remove line 9

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2229 - Adjutant General - Conference Committee Action**

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Veterans' Cemetery - Operation		\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
Total all funds	\$0	\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
Less estimated income						
General fund	\$0	\$123,750	\$76,250	\$200,000	\$247,500	(\$47,500)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Dept. 540 - Adjutant General - Detail of Conference Committee Changes**

	PROVIDE ADDITIONAL FUNDING <sup>1</sup>	TOTAL CONFERENCE COMMITTEE CHANGES
Veterans' Cemetery - Operation	\$76,250	\$76,250
Total all funds	\$76,250	\$76,250
Less estimated income		
General fund	\$76,250	\$76,250
FTE	0.00	0.00

<sup>1</sup> This amendment provides a general fund appropriation of \$200,000 to the Adjutant General for operation of the Veterans' Cemetery. This level of funding represents \$76,250 more than the Senate proposed funding level of \$123,750 and \$47,500 less than the House proposed funding level of \$200,000. The amendment also removes the matching funds requirement which was added by the Senate and removed by the House.

Engrossed SB 2229 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

SB 2229

**SENATOR DAVID NETHING, CHAIRPERSON**  
**SENATE BILL 2229 (1-23-01)**  
**TESTIMONY, PREPARED BY SENATOR LARRY ROBINSON**

GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. FOR THE RECORD, MY NAME IS LARRY ROBINSON, STATE SENATOR FROM DISTRICT 24, BARNES COUNTY, NORTH DAKOTA. I APPEAR BEFORE YOU TODAY A SPONSOR ON SENATE BILL 2229. SENATE BILL 2229 WILL PROVIDE A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$247,000 TO THE OFFICE OF THE ADJUTANT GENERAL FOR THE PURPOSE OF OPERATING THE NORTH DAKOTA VETERAN'S CEMETERY FOR THE BIENNIUM JULY 1, 2001 - JUNE 30, 2003.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THE VETERAN'S CEMETERY WAS ENACTED INTO LAW IN MARCH OF 1989. THE FIRST BURIAL TOOK PLACE ON JULY 7, 1992. SINCE THAT TIME, A TOTAL OF 1,482 INDIVIDUALS HAVE BEEN BURIED IN THIS FACILITY. IN THE YEAR 2000, A TOTAL OF 247 BURIALS TOOK PLACE, AN AVERAGE OF SLIGHTLY MORE THAN 20 EACH MONTH. THE NUMBER OF BURIALS WILL INCREASE EACH YEAR FOR THE NEXT SEVERAL YEARS DUE TO THE NUMBER AND THE AGE OF OUR WWII VETERANS. DUE TO THE FACT THAT THERE ARE FEWER KOREAN, VIETNAM, AND GULF WAR VETERANS, THE NUMBERS COULD SLOW DOWN IN THE FUTURE.

THERE ARE A TOTAL OF 20,000 BURIAL PLOTS IN THE CURRENT DEVELOPMENT SITE. OF THIS NUMBER, IT IS ESTIMATED THAT APPROXIMATELY 65% OF THESE PLOTS WILL BE TIERED, MEANING THAT AT LEAST TWO WILL BE BURIED IN EACH GRAVE. BASED ON PRELIMINARY ESTIMATES, IT WILL BE 140 YEARS BEFORE THE CURRENT SITE IS FILLED UP. THERE IS AVAILABLE AN ADDITIONAL 40 ACRES FOR EXPANSION OF THE CURRENT SITE. WHEN THE CEMETERY WAS FIRST STARTED, THE BELIEF AT THE TIME WAS THAT A LARGE PART OF THE FUNDING WOULD COME FROM GAMING TO OPERATE THE FACILITY AND TO BUILD UP A TRUST FUND TO ALLOW FOR CONTINUED AND PERPETUAL CARE OF THE FACILITY. WE ALL KNOW WHAT HAS HAPPENED TO THE GAMING ACROSS THE STATE OF NORTH DAKOTA.

SINCE 1991, DONATIONS AND INCOME IN EXCESS OF 1.2 MILLION IN REVENUE HAS BEEN GENERATED TO FUND THE OPERATIONS OF THE CEMETERY.

**SENATOR DAVID NETHING, CHAIRPERSON**  
**SENATE BILL 2229 (1-23-01)**  
**TESTIMONY, PREPARED BY SENATOR LARRY ROBINSON**

THESE DOLLARS HAVE COME FROM DONATIONS, INTEREST EARNINGS FROM THE VETERAN'S POST WAR TRUST FUND, AND SALE OF VETERAN'S CEMETERY LICENSE PLATES. PRIOR TO 2000, THE CEMETERY WAS NOT ALLOWED THE \$150.00 BURIAL ALLOWANCE ALLOWED FOR BURYING VETERANS. THE CONGRESSIONAL DELEGATION WAS ABLE TO HAVE A PROVISION PASSED INTO LAW ALLOWING FOR OUR CEMETERY TO RECEIVE THESE FUNDS EFFECTIVE NOVEMBER 2000.

THE BLACK HILLS CEMETERY IN SOUTH DAKOTA IS APPROXIMATELY THE SAME SIZE AS OUR CEMETERY. THEY HAVE EIGHT FULL-TIME YEAR-ROUND EMPLOYEES. WE HAVE THREE FULL-TIME EMPLOYEES. MINNESOTA HAS JUST FUNDED, WITH GENERAL FUND DOLLARS, A VETERANS CEMETERY IN LITTLE FALLS. IN ADDITION, THE VETERAN'S CEMETERIES IN WISCONSIN ARE ALL FUNDED WITH STATE GENERAL FUND DOLLARS. OUR VETERAN'S CEMETERY IS ONE OF THE PREMIER VETERAN'S CEMETERIES IN THE NATION.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, IT IS TIME FOR US TO FUND THE OPERATION OF THIS FACILITY FROM GENERAL FUND DOLLARS. I URGE YOUR FAVORABLE CONSIDERATION OF SENATE BILL 2229.

THANK YOU.

**NORTH DAKOTA VETERANS COORDINATING COUNCIL  
LEGISLATIVE COMMITTEE  
TESTIMONY – S. 2229**

**Good morning, Senator Nething and Senator Solberg, committee members, ladies and gentlemen. My name is John Jacobsen and I am representing the Legislative Committee of the North Dakota Veteran's Coordinating Council. As this is my first time to testify before a Senate Committee speaking for a bill that has been presented, please forgive me if I stumble. If you ask any questions that I cannot answer, there are some experts available to answer them for you.**

**Senate Bill 2229, as you know, requests a general fund appropriation to fund the salaries at the ND Veterans Cemetery for the next biennium. In the past veteran's organizations, through charitable gaming within their posts have been able to donate a significant amount of money to the ND Veterans Cemetery Perpetual Care Fund, formerly called the Military Militia Trust Foundation. Charitable gaming within the veteran's organizations is down about 75 %. Since the name change of the Military Militia Foundation to the ND Veterans Cemetery Perpetual Care Fund, donations have increased. The Veteran's Cemetery Perpetual Fund received \$ 116,000 in the past year (2000) from families of those interred there and organizations. The fund has about \$ 800,000 in it now, and to draw funds from it to finance the cemetery operations will slow the accumulation of value thus taking it longer to reach their goal. When the goal has been reached, then the interest on the Veterans Cemetery Perpetual Care Fund can eventually be used to fund the operations of the cemetery.**

**It is important that we are hoping that general fund funding be only a stop gap measure until the two trust funds build up a base to where the**

interest earnings will be able to sustain the expenses of the cemetery. At this time we do not have an exact date.

The Postwar Trust Fund has provided, in the last 3 biennium's, including the current one, nearly \$ 400,000 for the cemetery. However, the programs which help the needy veterans with health, dental and optical needs have grown to the point where it appears funding for the cemetery will have to be curtailed or at the least cut back drastically.

The NDVC is one of the state's finest attractions. It is recognized as one of the finest veterans cemeteries in the nation, and we should do all in our power to help it get through this period to help make it self-sustaining.

The Legislative Committee of the North Dakota Veteran's Coordinating Council ask that you look favorably on this bill.

SENATE BILL 2229  
TESTIMONY OF GARY S. HELGESON  
ON BEHALF OF THE  
NORTH DAKOTA VETERANS CEMETERY FOUNDATION  
BEFORE THE SENATE APPROPRIATIONS COMMITTEE  
JANUARY 23, 2001

Mr. Chairman, Members of the Committee.

I am Gary Helgeson of Bismarck and appear on behalf of the North Dakota Veterans Cemetery Foundation in support of Senate Bill 2229 to provide an appropriation for the operation of the Veterans Cemetery. General Alex Macdonald, the Foundation President, wished to give this testimony, but is overseas on holiday with his wife Joan.

The purpose and goal of the Foundation is to establish and maintain a perpetual care fund sufficient to support the operation of the Veterans Cemetery with investment income. The Foundation is publicly supported and recognized by the Federal Internal Revenue Service as a tax exempt organization under section 501(c)(3) of the Internal Revenue Code. The Foundation has no paid directors, officers, staff or fund raising consultants. Its operation is supported by volunteers.

Since the establishment of the Veterans Cemetery, the Foundation has granted in excess of \$200,000 to the State of North Dakota for the operation of the Cemetery. The policy of the Foundation's Board of Directors is to continue to financially support the Cemetery, at a minimum, with annual investment income. Donations to the Foundation's perpetual care fund by individuals and organizations in 2000 were approximately \$116,000. Investment income for 1999 was approximately \$42,000. As of December 31, 2000, the Foundation's Cemetery Fund assets were \$837,000.

Until such time as grants from the Foundation and other sources are sufficient to meet the financial needs of the Veterans Cemetery, legislative support is very important. Your favorable consideration of the proposed appropriation is requested.

Thank you.

**NORTH DAKOTA VETERANS COORDINATING COUNCIL  
LEGISLATIVE COMMITTEE  
TESTIMONY**

Good morning Chairman Timm, Vice Chairman Wald, members of the Committee, ladies and gentlemen. My name is John Jacobsen and I am representing the Legislative Committee of the North Dakota Veteran's Coordinating Council and a member of the Veterans of Foreign Wars. My eligibility for membership in the VFW is a result of serving during Operation Desert Storm in the Persian Gulf. I am relatively new to testifying before a House Committee speaking for a bill that has been presented, so please forgive me if I stumble. Senate Bill 2229, as you know, requests a general fund appropriation to fund the salaries at the ND Veterans Cemetery for the next biennium. In the past, veterans organizations, through charitable gaming within their posts have been able to donate a significant amount of money to the ND Veterans Cemetery Perpetual Care Fund, formerly called the Military Militia Trust Foundation. Charitable gaming within the veteran's organizations is down about 75 %. The Veteran's Cemetery Perpetual Care Fund received \$ 116,000 in the past year of 2000 from families of those interred there and from organizations. The fund has about \$ 800,000 in it now, and to draw from it to finance the cemetery operations will slow the accumulation of value thus taking it longer to reach their goal. When the goal has been reached, then the interest on Veteran's Cemetery Perpetual Care Fund can eventually be used to fund the operations of the cemetery.

It is important that we are hoping that the General Fund funding be only a stopgap measure until the two trust funds build up to a base where the interest will be able to sustain the expenses of the cemetery. At this time we do not have an exact date.

The Post War Trust Fund has provided, in the last 3 biennium's, including the current one, nearly \$ 400,000 for the cemetery. However, the programs which help the needy veterans with health, dental and optical needs have grown to the point where it appears funding for the cemetery will have to be curtailed or at the least cut back drastically.

The ND Veteran's Cemetery is one of the State's finest attractions. It is recognized as one of the finest veteran's cemeteries in the nation, and we should do all in our power to get it through this period to help make it self-sustaining.

The Legislative Committee of the North Dakota Veteran's Coordinating Council ask that you give this bill a "DO PASS" recommendation.

If you ask any questions that I cannot answer, I am sure that there are some experts available that will be able to answer them for you.

Thank You.

SENATE BILL 2229  
TESTIMONY OF ALEXANDER P. MACDONALD  
ON BEHALF OF THE  
NORTH DAKOTA VETERANS CEMETERY FOUNDATION  
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE  
MARCH 12, 2001

Mr. Chairman, Members of the Committee.

I am Alex Macdonald from Fargo. I am President of the North Dakota Veterans Cemetery Foundation and appear on behalf of its Board of Directors in support of Senate Bill 2229 to provide an appropriation for the operation of the Veterans Cemetery.

The purpose and goal of the Foundation is to establish and maintain a perpetual care fund sufficient to support the operation of the Veterans Cemetery with investment income. The Foundation is publicly supported and recognized by the Federal Internal Revenue Service as a tax exempt organization under section 501(c)(3) of the Internal Revenue Code. The Foundation has no paid directors, officers, staff or fund raising consultants. Its operation is supported by volunteers.

Since the establishment of the Veterans Cemetery, the Foundation has granted in excess of \$200,000 to the State of North Dakota for the operation of the Cemetery. The policy of the Foundation's Board of Directors is to continue to financially support the Cemetery, at a minimum, with annual investment income. Donations to the Foundation's perpetual care fund by individuals and organizations in 2000 were approximately \$116,000. Investment income for 1999 was approximately \$42,000. As of December 31, 2000, the Foundation's Cemetery Fund assets were \$837,000.

Until such time as grants from the Foundation and other sources are sufficient to meet the financial needs of the Veterans Cemetery, legislative support is very important. Your favorable consideration of the proposed appropriation is requested.

Thank you.