

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

SENATE BILL NO. 2284
(Senators Bercier, Heitkamp, Nichols)
(Representatives Boucher, Cleary, Winrich)

AN ACT to amend and reenact section 37-01-40 of the North Dakota Century Code, relating to the uniform service dates for wartime veterans.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 37-01-40 of the North Dakota Century Code is amended and reenacted as follows:

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. ~~In order to provide for the uniformity of period of service dates for wartime veterans, the following dates and terms are applicable to all acts of the state relative to wartime veterans where not otherwise specifically prescribed by statute:~~
 - a. ~~Civil war and confederate veterans who served between April 12, 1861, and May 26, 1865.~~
 - b. ~~Future dates. The period beginning on~~ Period of service dates for a wartime veteran begins with the date of any future 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.
 - c. ~~Indian wars. Since the Indian wars were fought intermittently over a period of years, the determination as to whether a person shall be considered as having rendered military service during these wars will be carefully considered by the administrative committee on veterans' affairs. January 1, 1817, through December 31, 1898, is considered Indian war period.~~
 - d. ~~"Korean conflict" means the period between June 27, 1950, to January 31, 1955.~~
 - e. ~~Mexican wars. Since there were several skirmishes involving the Mexican border, such as Mexican border troubles 1911-1916; Veracruz expedition April 21, 1914, to November 26, 1914; punitive expedition into Mexico, March 15, 1916, to February 5,~~

~~1917; therefore the persons rendering military service in any of these skirmishes must be considered veterans of the Mexican wars between 1911 and February 5, 1917.~~

- ~~f. "Spanish American War" (1) means the period beginning on April 21, 1898, and ending on July 4, 1902, (2) includes the Philippine insurrection and the Boxer rebellion, and (3) in the case of a veteran who served with the United States military forces engaged in hostilities in the Moro province, means the period beginning on April 21, 1898, and ending on July 15, 1903.~~
- ~~g. "Vietnam era" means the period beginning August 5, 1964, and ending on May 7, 1975.~~
- ~~h. "World War I" (1) means the period beginning on April 6, 1917, and ending on November 11, 1918, and (2) in the case of a veteran who served with the United States military forces in Russia, means the period beginning on April 6, 1917, and ending on April 1, 1920.~~
- ~~i. "World War II" means the period beginning December 7, 1941, and ending December 31, 1946, both dates inclusive.~~

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2284.

Senate Vote: Yeas 49 Nays 0 Absent 0

House Vote: Yeas 88 Nays 0 Absent 10

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State