

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2146

2005 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2146

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

Senate Government and Veterans Affairs

☐ Conference Committee

Hearing Date January 13, 2005

Tape Number	Side A	Side B	Meter #
1	x		4,120 - 6240
		x	0-1208
Committee Clerk Signature <i>Diane Davis</i>			

Chairman Krebsbach opens hearing.

Hearing on SB2146

Senator Lyson - Spoke in favor of bill 2146 and gave appreciation for our Armed Services.

Senator Nelson - Asked why 12/92 chosen as a start date.

Senator Lyson - Not sure but the General will tell us why.

Senator Tallackson - Sponsor of this bill. In favor of compensating our veterans.

Representative Aarsvold - Sponsor of this bill, see written testimony.

Representative Metcalf - Testifies in support of this bill.

Major General Michael Haugen - Answered Senator Nelson's question. The reason for the

12/92 date is bonus bills have a beginning and ending date, that date and they end with a conflict, that date selected is the beginning of the Somalia conflict which is the first conflict to occur after the previous legislation. **(meter #4885)**

Senator Krebsbach thanks the General for the information he provided to the committee.

General Haugen - In support of bill 2146, see written testimony.

Senator Nelson - Many units have Minnesota people in them. Are they covered by this?

General Haugen - Stated they are not covered by this. Must be a ND resident.

Senator Nelson - Asked if people deployed to other places but never went overseas are eligible.

General Haugen - Stated they were for stateside service they would be awarded \$50 a month.

Senator Brown - Asked how many ND soldiers are currently serving in Iraq.

General Haugen - Can only give National Guard numbers but not other active duty.

We also have some in Afghanistan.

(meter #6242) end.

Side B

Senator Nelson - Asked if ND have more serving per capita of all the states.

General Haugen - Stated, not any more but that we are very near the top. Stated we have 4000 Guard members serving of that 2,995 are mobilized..

Senator Nelson - Asked if some are on their second tour of duties.

General Haugen- Said they are some that have rotated from one area to another but they are not listed in that number of mobilization. We will probably see more mobilization.

Senator Syverson - Asked if individuals served in Europe for a year would they qualify for the bonus.

General Haugen - US Dept. of Defense will establish the territory on the overseas deployment that qualifies them for the Campaign Medal. (meter # 235).

Senator Syverson - Asked if an individual was deceased as a result of action would their family qualify for \$100 a month for the period of time they were alive and payment for a Purple Heart.

General Haugen - Said that it wouldn't be based on a monthly service but in one payment of \$2500.

Senator Nelson - Asked if doctor's stationed in Germany would be paid \$50 per month.

General Haugen - Yes

Senator Krebsbach - Was very interested in some documentation of numbers of participation from ND from all of the wars we've been involved in and would like a copy of that.

John Jacobson representing ND Veterans Coordinating Council in support of the bill.

Senator Nelson - Asked about possible conflict in Sec 6 and 7.

Lt. Col. Dave Thiele - Cleared up question about the Veterans Aid Fund.

Raymond Rothman - ND AMVETS - in support of this bill.

Senator Krebsbach closed the hearing on SB2146.

Meter #916

Senator Syverson - Asked if this was similar to what we have in the Century Code.

Lt. Col. Thiele - Stated that prior legislation is still in the Century Code dealing with Desert Storm, Desert Shield and we have created a new section dealing with this conflict.

Senator Brown - Stated we need to move ahead on this and motioned for a do pass.

Senator Nelson - Seconded the motion.

(meter # 1086)

Page 4

Senate Government and Veterans Affairs Committee

Bill/Resolution Number **SB 2146**

Hearing Date January 13, 2005

Roll called on 2146.

Do pass

Senator Brown will carry the bill.

FISCAL NOTE
Requested by Legislative Council
03/24/2005

Amendment to: SB 2146

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$0			
Expenditures			\$5,000,000			
Appropriations			\$5,000,000			

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 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.*

Bill provides additional compensation for resident military members mobilized Dec. 5, 1992 through June 30, 2007. \$100 per month overseas not to exceed \$1,800 and \$50 per month stateside not to exceed \$900 (combination may not exceed \$1,800). \$2,500 to recipients of purple heart and \$2,500 to beneficiaries of those who died as a result of service.

The Tax Department states the tax provisions in Sections 7 and 10 of the bill will have 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.*

Current air and army guard cost estimate	\$2,669,500
Current active duty cost estimate	\$953,000
Current reserve component cost	\$331,200

est. total current cost	\$3,953,700
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for each additional 100 soldiers deployed between now and 2007 add approximately \$120,000.

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.*

5.0 million dollars has been included in the executive budget.

Name:	LTC David Thiele	Agency:	Adjutant General
Phone Number:	333-2009	Date Prepared:	03/24/2005

FISCAL NOTE

Requested by Legislative Council
01/03/2005

Bill/Resolution No.: SB 2146

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	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			\$0			
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Bill provides additional compensation for resident military members mobilized Dec. 5, 1992 through June 30, 2007. \$100 per month overseas not to exceed \$1,800 and \$50 per month stateside not to exceed \$900 (combination may not exceed \$1,800). \$2,500 to recipients of purple heart and \$2,500 to beneficiaries of those who died as a result of service.

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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.*

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5.0 million dollars has been included in the executive budget.

Name:	LTC Dave Thiele	Agency:	Adjutant General's Office
Phone Number:	333-2009	Date Prepared:	01/03/2005

Roll Call Vote #:

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Government and Veterans Affairs

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 2146

Action Taken DO PASS

Motion Made By No Pass Senator Brown Seconded By Senator Nelson

[illegible]

Total (Yes) 5 No 0

Absent

Floor Assignment Senator Brown

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

REPORT OF STANDING COMMITTEE

SB 2146: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman)
recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee**
(5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2146 was rereferred to the
Appropriations Committee.

2005 SENATE APPROPRIATIONS

SB 2146

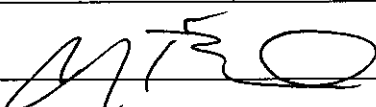
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

Senate Appropriations Committee

☐ Conference Committee

Hearing Date 01/25/05

Tape Number	Side A	Side B	Meter #
1	x		2,146
Committee Clerk Signature 			

Minutes: **Chairman Holmberg** opened meeting on SB 2146.

Major General Michael Haugen, Adjutant General, ND National Guard appeared in support of SB 2146, written testimony was provided, see appendix I.

Rep. Ole Aarsvold, District 20 appeared in support of SB 2146. Rep Aarsvold provided the committee with written testimony, see appendix II. Mr. Aarsvold was a Co-sponsor of SB 2146.

John Jacobsen, Chairman of the Legislative Committee of the ND Veterans Coordinating Council appeared in support of SB 2146. Mr. Jacobsen provided the committee with written testimony, see appendix III.

Questions were asked regarding veterans benefits, i.e life insurance policy and disability insurance.

Major General Haugen stated to the committee that although the \$250,000 policy was not mandatory it is highly encouraged. It is very cheap at \$10-\$12/ month. Questions were also raised regarding recruitment levels. Numerous Senators indicated to the committee that they were very proud of our armed forces, especially those from ND.

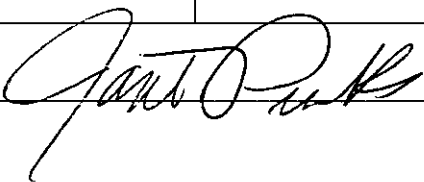
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2146

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 25, 2005

Tape Number	Side A	Side B	Meter #
2	a		0-148
Committee Clerk Signature 			

Minutes:

Chairman Holmberg called the hearing to order on SB 2146 and asked for a motion.

Vice Chairman Bowman moved that a vote be taken on SB 2146. **Senator Robinson** seconded. A roll call vote was taken 14 voted yes, 1 was absent.

SB 2146 received a DO PASS. **Senator Brown of the Government and Veterans Affairs**

Committee will carry this bill.

Chairman Holmberg closed the hearing.

Date: 1/25/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2145

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 2146

Action Taken Do Pass

Motion Made By Sen. Bowman Seconded By Sen. Robinson

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Sen. Tallackson	✓	
Vice Chairman Bowman	✓				
Vice Chairman Grindberg	✓				
Sen. Andrist	✓				
Senator Christmann	✓				
Senator Fischer	✓				
Sen. Kilzer	✓				
Sen. Kringstad	✓				
Sen. Schobinger	A				
Sen. Thane	✓				
Sen. Krauter	✓				
Sen. Lindaas	✓				
Sen. Mathern	✓				
Sen. Robinson	✓				

Total (Yes) 14 No _____

Absent 2

Floor Assignment GVA Senator Brown

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

REPORT OF STANDING COMMITTEE (410)
January 26, 2005 10:07 a.m.

Module No: SR-17-1068
Carrier: Brown
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2146: Appropriations Committee (Sen. Holmberg, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2146 was placed on the
Eleventh order on the calendar.

2005 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2146

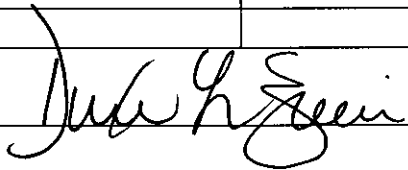
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

House Government and Veterans Affairs Committee

☐ Conference Committee

Hearing Date 2/24/05

Tape Number	Side A	Side B	Meter #
1	x		12.5-31.2
Committee Clerk Signature 			

Minutes: SB 2146 Provide adjusted compensation for eligible resident veterans and for the filing and payment of claims.

Chairman Haas: We will open the hearing on SB 2146 and the clerk to read the title. Good Morning Senator Lyson.

Senator Lyson-District 1-Williston-Introducing SB 2146-Those of us that are veterans understand what it was like to be in the services and go over seas and do our duty. These young men and women that went this time were called away from their families, many of them their jobs and my nephews situation he had one semester to go in college. They went over and did there jobs and they did it well. I think it is time for us to step forward and give them some back. We went through things that weren't very nice. When we got back we didn't know what to do. The kids that are coming back now, they are already, they are doing a lot better job now, then when I went in a hundred years ago. This is important for them, we have got to show them that we care and want to help them. I think it is so great that we are doing this.

Major General Michael Haugen-Adjutant General-Testimony Attached-For

Rep. Amerman: Say we are still in Iraq in 2007 and 2008, if wanted those soldiers to be covered we would have to do this again in the 2007 session, is that right?

Major General: That is correct, we would appear before you in the next session.

Rep. Potter: Can you help me with, decisions made in administering this act made by the office of the Adjutant General, are not subject to court review with exception of residence determination, what is it about court review?

Major General: There are time limits, of duties and normal and administrative decisions.

Rep. Meier: How many National Guardsmen of North Dakota do you still have serving in Iraq?

Major General: We have currently 100 members from the Grand Forks, we have some individuals, one of our physicians is over there. Other that are in Afghanistan, so they are still in the war zone. We have a few from the Air National Guard, they are going in and out all the time.

Chairman Haas: Any further questions for General Haugen. Thank you very much. Additional testimony in favor of SB 2146.

Rick Ryan-Secretary for North Dakota Administrative Committee on Veterans

Affairs-For-We are a fifteen member committee, we are appointed by the governor, three members from each of the five major veteran organizations in the state. We would like to concur with the General and ask for a Do Pass on SB 2146.

Rep. Aarvold-District 20-Co-Sponsor of the bill-Testimony Attached

Chairman Haas: The house appropriations committee, if there is any of this five million left over it would go veteran cemetery trust fund, is that correct?

Rep. Aarsvold: That is correct. There was a memo added in the appropriations committee and the intent is to make that fund self-sufficient to provide an on going resource for the veterans cemetery to run its operation.

Chairman Haas: If there is a need for additional funding for veteran bonuses beyond 2007, the legislature would be dealing with that. Would it make more sense to put that money in reserve or re-appropriate for additional bonuses.

Rep. Aarsvold: I believe the authorization extends through 2007 and I think that the anticipation is we will be able to deal with applications through the time period with the funds that are laid out in the bill.

Rep. Kasper: In General Haugens testimony he states that the amount is the same that was approved in 91 and 93 budget. We are almost 15 years beyond that point. The cost of living has gone up, was there any consideration to increasing those amounts or was it a budgetary restraint decision to keep it at this number?

Rep. Aarsvold: There was no discussion along that line in the appropriations committee.

Rep. Galvin: Does this cover everyone back to 1992, is there any group prior to that did not have some kind of compensation.

Rep. Aarsvold: It is my understanding that we have covered all eligible veterans for the campaigns, 1992 and prior, so this would be those from 1992 to the present.

John Jacobson-Chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council-Testimony Attached-for

Rep. Potter: If those goes back to December 1992, here we are at 2005, is this not done very frequently, the people from 1992 through the year 2000. Do you know anything about that?

John: I really don't know too much about that, but I do know that the Persian Gulf benefits were through 1991 and there hasn't been any major conflicts since that time.

Rep. Potter: It just surprises me that we haven't thought to do this prior to this.

Ray Rothman-Past Department Commander of the AmVets and appointed as a Legislative Director-AmVets would like to go on record that they strongly approve this bill and encourage a DO PASS.

Chairman Haas: Thank you for your testimony. Is there additional testimony in favor of SB 2146? Is there any opposition testimony to SB 2146. If not the hearing will be closed on SB 2146.

Rep. Froseth: I move a DO PASS on SB 2146.

Chairman Haas: Is there a second to Rep. Froseth's motion? Rep. Kasper seconds the motion on a DO PASS motion, is there any discussion, if not we will ask the clerk to take the roll.

VOTE: YES 14 NO 0 ABSENT 0 DO PASS ON SB 2146

REP. KLEMIN WILL CARRY THE BILL.

Date: 2/24/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2146

House House Government and Veterans Affairs Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep. Froseth Seconded By Rep. Kasper

Representatives	Yes	No	Representatives	Yes	No
Chairman C.B. Haas	✓		Rep. Bill Amerman	✓	
Bette B. Grande - Vice Chairman	✓		Rep. Kari Conrad	✓	
Rep. Randy Boehning	✓		Rep. Louise Potter	✓	
Rep. Glen Froseth	✓		Rep. Sally M. Sandvig	✓	
Rep. Pat Galvin	✓				
Rep. Stacey Horter	✓				
Rep. Jim Kasper	✓				
Rep. Lawrence R. Klemin	✓				
Rep. Lisa Meier	✓				
Rep. Margaret Sitte	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Klemin

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

REPORT OF STANDING COMMITTEE (410)
February 24, 2005 11:11 a.m.

Module No: HR-34-3551
Carrier: Klemin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2146: Government and Veterans Affairs Committee (Rep. Haas, Chairman)
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2146
was placed on the Fourteenth order on the calendar.

2005 HOUSE APPROPRIATIONS

SB 2146

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date Thursday, March 10, 2005

Tape Number	Side A	Side B	Meter #
1	X		25.5-35.7
Committee Clerk Signature <i>Don W. Timberlake</i>			

Minutes:

Chairman Carlisle opened discussion on SB 2146 which concerns providing adjusted compensation for eligible resident veterans. **Lt. Colonel Dave Thiele, Staff Judge Advocate for N.D. National Guard**, testified in support of SB 2146 and to request an amendment. The payments are tax exempt. In order to insure that soldiers can use the short form, it must be referenced in 57-38-30.3 that it applies. He said Mr. John Walstad, Legislative Council, is preparing an amendment and that it will be delivered to the Committee before the end of the day. **Rep. Kempenich** noted that the bill didn't reference any place in the Code. **Colo. Thiele** said they would create a new section in 57-38-30.3 stating that payments, under whatever section this is ultimately titled, are also exempt. It has to be referenced in there. It's just a procedural thing to insure that they can pick that on their form.

Chairman Carlisle told the Committee that the money is in the budget. **Colo. Thiele** said his soldiers are anxiously waiting for their payments.

Rep. C.B. Haas, from Taylor, testified in favor of the SB 2146. He told the Committee that the bill is similar to the one used after the first Gulf War in 1991-1993. It includes costs for the upcoming two years. The \$3.9 million will be dispersed to those the Agency knows about right now. The balance of the \$5 million will take care of the people they anticipate will receive benefits for the next two years. Any money left over will go to the Cemetery Trust Fund to help with its maintenance. **Chairman Carlisle** noted this is a one-time shot. **Rep. Haas** confirmed and went on to say that the Cemetery Trust Fund is a permanent trust and only the interest is used.

Rep. Haas also told the Committee this bill covers those people who were involved in conflicts in Somalia, Bosnia, Kosovo, Afghanistan, Haiti, and much of the Persian Gulf Region. So far, North Dakota has had seven National Guard soldiers who have been killed.

Rep. Timm asked where it states in the legislation that the excess money will maintain the cemetery. **Mr. Joe Morrisette, Legislative Council**, said the language is contained in the Adjutant General's budget.

Chairman Carlisle closed the discussion on SB 2146 until Fri. a.m. when the Amendment would be finished.

(Meter #35.7)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date Friday, March 11, 2005

Tape Number	Side A	Side B	Meter #
1	X		5.5-8.8
Committee Clerk Signature <i>Dee Wood Trent</i>			

Minutes:

Chairman Carlisle opened discussion on SB 2146 which provides adjusted compensation for eligible resident veterans. **Chairman Carlisle** asked Committee members to examine Amendment .0101 which allows those who receive benefits to use the short form to claim exemptions. **Rep. Kempenich** asked if there were a box on the form to check. **Rep. Kroeber** suggested that military version of the W2 shows the different amount.

Rep. Kempenich moved to approve Amendment .0101; **Rep. Thoreson** seconded. Hearing no further discussion, **Chairman Carlisle** called for a voice vote. Motion passed.

Chairman Carlisle said there will be more discussion about attaching a funding source, possibly the Oil & Gas Trust Fund, but this could be dealt with later.

Chairman Carlisle closed discussion on SB 2146.

(Meter #8.8)

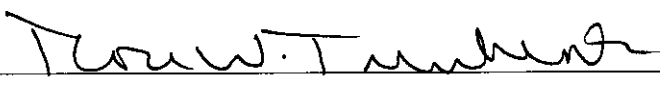
2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2146

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date Monday, March 21, 2005

Tape Number	Side A	Side B	Meter #
1	X		38.7-41.9
Committee Clerk Signature 			

Minutes:

Chairman Carlisle opened discussion on SB 2146 which provides adjusted compensation for eligible resident veterans.

Rep. Thoreson moved a Do Pass SB 2146 as amended; **Rep. Kempenich** seconded.

Hearing no further discussion, **Chairman Carlisle** called for Roll Call Vote #1. Motion passed, 6-0-0.

Chairman Carlisle said Rep. Klemin will carry the bill to the house. **Rep. Williams** will carry it to Full Committee.

(Meter #41.9)

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2146
Adjusted Compensation for Eligible Resident Veterans

House Appropriations Full Committee

☐ Conference Committee

Hearing Date March 22, 2005

Tape Number	Side A	Side B	Meter #
2		X	#1.1 - #8.0
Committee Clerk Signature <i>Chris Alexander</i>			

Minutes:

Rep. Ken Svedjan, Chairman opened the discussion on SB2146.

Rep. Clark Williams explained that this bill has a \$5 million appropriation. This provides additional compensation for resident military members mobilizes after December 5, 1992 and carries through June 30, 2007. There is \$100 per month for overseas duty not to exceed \$1800, \$50 per month for stateside duty, not to exceed \$900, \$2500 to purple heart recipients and \$2500 to the beneficiaries of those who died in service. This \$5 million is in the Governor's Budget and the purpose of this bill is to help elevate financial hardship for those who have served and their families and to serve as an incentive for future military service people. Section 2 is a long list of definitions for this bill, section 5 deals with the application process for this, section 6 deals with the bonuses, section 7 is the exemption from state taxes and section 10 carries an emergency clause because this bill goes back to December 31, 2004 as far as the taxable year. This was amended at the direction of the legislative council because there were no direct references in

regards to the tax code. Rep Williams moved to adopt amendment #0101 written by Rep DeKrey to SB2146.

Rep. Ron Carlisle seconded

Rep. Ken Svedjan, Chairman called for a voice vote on the motion to adopt amendment #0101 to SB2146. Motion carried

Rep. Clark Williams moved a Do Pass As Amended motion to SB2146

Rep. Ralph Metcalf seconded

Rep. Jeff Delzer commented that the fiscal note has the current estimated cost at \$3,953,700 and yet they have \$5 million. Is this because it goes through to June 30, 2007

Rep. Clark Williams answered yes, the estimate approximates an additional \$120,000 for each additional 100 soldiers, so they put the figure at \$5 million for the total.

Rep. Jeff Delzer asked what would happen if there is not enough money to get through to the end of 2007

Rep. Clark Williams answered that the program would end when the money runs out

Rep. Jeff Delzer asked if this covers all branches of the active military.

Rep. Clark Williams answered yes.

Rep. Ken Svedjan, Chairman called for a roll call vote on the Do Pass As Amended motion for SB2146. Motion carried with a vote of 21 yeas, 0 nays and 2 absences. Rep Klemin will carry the bill to the house floor.

Rep. Ken Svedjan, Chairman closed the discussion on SB2146.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2146

Page 1, line 3, after "payments" insert "; to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax deductions" and after "penalty" insert "; to provide an effective date"

Page 4, line 22, after "taxes" insert ", including taxes determined under section 57-38-29 or 57-38-30.3,"

Page 5, after line 9, insert:

"SECTION 10. A new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Reduced by the amount of any payment received by a veteran or beneficiary of a veteran under section 3 or 4 of this Act.

SECTION 11. EFFECTIVE DATE. Section 10 of this Act is effective for taxable years beginning after December 31, 2004."

Renumber accordingly

Date: 3/31/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2146

House House Appropriations Government Operations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58234.0101

Action Taken Do pass SB 2146, as amended

Motion Made By Rep. Thoreson Seconded By Rep. Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Carlisle	✓		Rep. Kroeber	✓	
Rep. Timm	✓		Rep. Williams	✓	
Rep. Kempenich	✓				
Rep. Thoreson	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Rep. Klemin to Floor

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

Rep. Williams to Full Committee

PROPOSED AMENDMENTS TO SENATE BILL NO. 2146

Page 1, line 3, after "payments" insert "; to create and enact a new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to individual income tax deductions" and after "penalty" insert "; to provide an effective date"

Page 1, line 13, after "in" insert "sections 1 through 9 of"

Page 3, line 15, after "under" insert "sections 1 through 9 of"

Page 3, line 22, after "under" insert "sections 1 through 9 of"

Page 3, line 24, after "under" insert "sections 1 through 9 of"

Page 4, line 9, after "under" insert "sections 1 through 9 of"

Page 4, line 14, after "under" insert "sections 1 through 9 of"

Page 4, line 21, after "under" insert "sections 1 through 9 of"

Page 4, line 22, after "taxes" insert ", including taxes determined under section 57-38-29 or 57-38-30.3,"

Page 4, line 24, after "under" insert "sections 1 through 9 of"

Page 4, line 28, after "administer" insert "sections 1 through 9 of"

Page 5, line 1, after "of" insert "sections 1 through 9 of"

Page 5, line 2, after "of" insert "sections 1 through 9 of"

Page 5, line 9, after "under" insert "section 5 of"

Page 5, after line 9, insert:

"SECTION 10. A new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota Century Code is created and enacted as follows:

Reduced by the amount of any payment received by a veteran or beneficiary of a veteran under section 3 or 4 of this Act.

SECTION 11. EFFECTIVE DATE. Section 10 of this Act is effective for taxable years beginning after December 31, 2004."

Renumber accordingly

*Grants to
State to
guard value*

Date: March 22, 2005
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2146

House Appropriations - Full Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 58234.0101

Action Taken **DO PASS AS AMENDED**

Motion Made By **Rep Williams** Seconded By **Rep Metcalf**

Representatives	Yes	No	Representatives	Yes	No
Rep. Ken Svedjan, Chairman	X		Rep. Bob Skarphol	X	
Rep. Mike Timm, Vice Chairman	X		Rep. David Monson	X	
Rep. Bob Martinson	X		Rep. Eliot Glassheim	X	
Rep. Tom Brusegaard	AB		Rep. Jeff Delzer	X	
Rep. Earl Rennerfeldt	X		Rep. Chet Pollert	X	
Rep. Francis J. Wald	X		Rep. Larry Bellew	X	
Rep. Ole Aarsvold	X		Rep. Alon C. Wieland	X	
Rep. Pam Gulleason	X		Rep. James Kerzman	X	
Rep. Ron Carlisle	X		Rep. Ralph Metcalf	X	
Rep. Keith Kempenich	AB				
Rep. Blair Thoreson	X				
Rep. Joe Kroeber	X				
Rep. Clark Williams	X				
Rep. Al Carlson	X				

Total Yes 21 No 0

Absent 2

Floor Assignment **Rep Klemin**

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

REPORT OF STANDING COMMITTEE

SB 2146: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2146 was placed on the Sixth order on the calendar.

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Reduced by the amount of any payment received by a veteran or beneficiary of a veteran under section 3 or 4 of this Act.

SECTION 11. EFFECTIVE DATE. Section 10 of this Act is effective for taxable years beginning after December 31, 2004."

Renumber accordingly

2005 TESTIMONY

SB 2146

TESTIMONY OF
MAJOR GENERAL MICHAEL J. HAUGEN
THE ADJUTANT GENERAL
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
JANUARY 13, 2005
SENATE BILL 2146

Same given to the House

Madame Chair, Members of the Committee,

The North Dakota Legislature first approved additional compensation for veterans in 1919 and authorized \$25 per month for each month of service during World War I. Since then additional compensation has been provided to North Dakota veterans of every significant conflict; World War II, Korea, Vietnam, and the first Persian Gulf War. Senate Bill 2146 continues the tradition of recognizing the personal and financial sacrifice of our resident veterans and their families.

Senate Bill 2146 authorizes the payment of \$100 for every month of qualifying overseas service not to exceed \$1,800, and \$50 per month for stateside service not to exceed \$900. A combination of the two may not exceed \$1,800. Heirs of veterans who died while in active service and those receiving a purple heart will receive \$2,500. These amounts are the same as those approved for payment in 1991 and 1993 by the North Dakota Legislature for service in the first gulf war. The service period covered by this bill is the beginning of the Somalia conflict (December 5, 1992) through June 30, 2007, the end of the biennium.

Payments for foreign service will be made to those resident veteran's who received an Armed Forces Expeditionary Medal or Campaign Badge which includes

service in Somalia, Bosnia, Kosovo, Afghanistan, Haiti, and much of the Persian Gulf region. The stateside service will be any active duty activation for service greater than 30 days. Such service will not include state activities such as Operation Snowball (blizzard of 1997) and Operation Good Neighbor (Grand Forks flood relief).

As in the past, the program will be administered by the Office of the Adjutant General and we have already begun the process to ensure that payments can be made quickly and efficiently to all military personnel should this bill pass. The bill has an emergency measure clause to further ensure our eligible resident military members receive the funds as quickly as possible. Payments will be exempt from state tax and will not be subject to debt assignment with the exception of any sums owed the veteran's aid fund. Decisions made in administering this act made by the Office of the Adjutant General are not subject to court review with the exception of residence determinations.

The executive budget for the Office of the Adjutant General includes a request for \$5,000,000 to fund the bonus program. Our current projected cost is approximately \$3.9 million dollars but that represents an educated guess regarding active duty component members and obviously does not include potential costs in the upcoming two years. We do believe that the \$5.0 million will adequately cover the cost of the program. The House Appropriations Committee is considering an amendment to the executive budget that will direct that any unused portion of the bonus program, if any, will be transferred to the state Veteran's Cemetery Trust Fund. We support that amendment.

The personal sacrifice, commitment, and bravery of our men and woman in the North Dakota National Guard and all military components has been exceptional, but it has also come at a high cost as we have had seven National Guard soldiers killed in action and another two that died while in service due to non-combat related injuries. An additional twenty-six soldiers have sustained combat related injuries in the last two years resulting in twenty-four purple hearts with several pending approval. The reserve and active component veterans have also served with distinction and bravery and we are aware of at least three North Dakota resident active component soldiers killed in action.

As we look back at the accomplishments of our resident veterans we do so with pride in not only the individuals who have served, but we also recognize the families and communities whose sacrifice and support has made this effort possible. SB 2146 recognizes that personal and financial sacrifice and is deeply appreciated by our resident veterans and their families not just because of the financial contribution but also because it is a way for the public to again say "thank you".

In conclusion, the Adjutant General's Office strongly supports this bill and, on behalf of all our resident soldiers, airman, sailors, and marines, we request your favorable consideration.

Thank you Madame Chair. I would be pleased to respond to any questions.

VETERANS' BONUS COST ESTIMATES

ARMY GUARD

<u>Operation</u>	<u># Guard Members</u>	<u>Length</u>	<u>Cost¹</u>
Noble Eagle	186	8 mo-2 yrs	133,600
Bosnia	30	6 mos.	18,000
Kosovo	150	9 mos.	141,300
OIF	1365 @ 1350	12 mos.	<u>1,843,000</u>
Sub-total:			\$2,332,900

AIR GUARD

<u>Operation</u>	<u>Man-years</u>	<u>Av. Cost</u>	<u>Total Cost</u>
Noble Eagle	459	\$600/man-year	275,400
OIF/OEF	51	\$1200/man-year	<u>61,600</u>
Sub-total:			\$336,600

Total air and army guard: \$2,669,500

Reserve Component

276 @ \$120,000 per 100 **Total: \$331,200**

Active Duty

Potential # 1,588

(2003 tax filers with military code and out of state address)

1,588 @ 1200 per = max cost of \$1,900,000

Likely current cost-

50% of 1588= 794 @ 1200

Total: \$953,000

TOTAL: \$3,953,700

Assumes \$100 a month for foreign service; \$50 a month for domestic service; and a total of \$2500 for KIA and purple heart recipients.

Testimony
SB 2146
Rep. Ole Aarsvold
January 12, 2005

To: Senate Committee on Government and Veterans' Affairs
Senator Karen Krebsbach, Chair

From: Rep. Ole Aarsvold, District 20

Re: SB 2146

I appear before you today as a proud co-sponsor of SB 2146. This proposal is an extension of the long-standing North Dakota tradition of offering a monetary bonus to military veterans who were mobilized in times of conflict. This includes National Guard, Reserve, and active-duty personnel. The popularly called "veterans bonus" is paid only to North Dakota residents using criteria enforced by the Adjutant General.

The essence of the bill is found in Section 1 and includes a statement of public purpose and legislative intent.

The funding for SB 2146 is included in the Adjutant General's budget, which the Appropriation's sub-committee has heard but not acted on.

The Adjutant General and staff will provide details and respond to technical concerns you may have.

I encourage the Committee's favorable recommendation to SB 2146.

SB 2146
Rep. Ole Aarsvold
February 24, 2005

To: House Government and Veterans' Affairs Committee
Rep. C.B. Haas, Chair
From: Rep. Ole Aarsvold, District 20

I appear before you today as a proud co-sponsor of SB 2146. This proposal is an extension of the long-standing North Dakota tradition of offering a monetary bonus to military veterans who were mobilized in times of conflict. This includes National Guard, Reserve, and active-duty personnel. The popularly called "veterans bonus" is paid only to North Dakota residents using criteria enforced by the Adjutant General.

The essence of the bill is found in Section 1 and includes a statement of public purpose and legislative intent.

The funding for SB 2146 is included in the Adjutant General's budget, which passed the House last week. The Adjutant General and staff will provide details and respond to technical concerns you may have.

I encourage the Committee's favorable recommendation to SB 2146.

North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

The NDVCC membership is comprised of 15 members representing the five (5) veterans' organizations in the state. (3 from each organization) They are:

- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 61,000 veterans currently living in North Dakota.

I am a member of the Legislative Committee of the NDVCC. I am not a member of the NDVCC but report directly to them. In order for the Legislative Committee to support any bill brought up before our Legislature, concurrence must be unanimous, that is all 15 members must agree that we should support the bill. A single negative response will kill our support.

I have been instructed to ask you to support this bill.
Thank you.

North Dakota Veteran's Coordinating Council

My name is John L. Jacobsen. I am the chairman of the Legislative Committee of the North Dakota Veterans Coordinating Council. I am a member of both the VFW and the American Legion. I am also a member of the VFW National Legislative Committee. We work directly with our Members of Congress on legislation at the national level.

I served 29 years in the ND National Guard and the US Army Reserve, retiring in 1995 with the rank of Colonel. I served on active duty in 1991 in the Persian Gulf stationed in the United Arab Emirates.

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- American Legion
- AMVETS
- Disabled American Veterans (DAV)
- Veterans of Foreign Wars (VFW)
- Vietnam Veterans of America (VVA)

These organizations represent approximately 60,000 veterans currently living in North Dakota.

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Veterans by County **As of 10 September 2004**

Adam	243	Mountrail	637
Barnes	1,162	Nelson	438
Benson	486	Oliver	165
Billings	123	Pembina	892
Bottineau	711	Pierce	456
Bowman	238	Ramsey	987
Burke	248	Ransom	623
Burleigh	6,585	Renville	314
Cass	10,287	Richland	1,368
Cavalier	489	Rolette	903
Dickey	491	Sargent	399
Divide	262	Sheridan	182
Dunn	328	Sioux	316
Eddy	259	Slope	55
Emmons	376	Stark	1,990
Foster	295	Steele	224
Golden Valley	192	Stutsman	2,058
Grand Forks	6,316	Towner	272
Grant	260	Traill	840
Griggs	267	Walsh	1,259
Hettinger	310	Ward	5,883
Kidder	251	Wells	479
LaMoure	401	Williams	2,011
Logan	190		
McHenry	635	TOTAL	59,058
McIntosh	280		
McKenzie	562		
McLean	969		
Mercer	828		
Morton	2,301		

These numbers do not include veterans who have returned from Iraq or Afghanistan or other deployments of the Guard or Reserves.

Source:
ND Department of Veterans Affairs

TESTIMONY OF
MAJOR GENERAL MICHAEL J. HAUGEN
THE ADJUTANT GENERAL
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
FEBRUARY 24, 2005
SENATE BILL 2146

Mr. Chairman, Members of the Committee,

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