

Introduction and Support Testimony HOUSE BILL 1212
Government and Veterans Affairs Committee January 26, 2023 2:45PM Pioneer Room

Chair Schauer, Vice-Chair Satrom and members of the Committee on Government and Veterans Affairs:

For the record, I am Cindy Schreiber-Beck, District 25 Representative that includes Richland County and the very southern portion of Sargent County.

This bill is at the request of the Veterans Service Officer in Richland County and address the problem that North Dakota Veterans Benefits language is preventing surviving spouses from obtaining benefits. The goal of the bill is to simplify the process -- ***by accepting the Veterans Administration Summary of Benefits Letter, a surviving spouse could access North Dakota benefits***

With new public laws, the Veterans Administration is adjudicating claims for veterans whose disability/disease was not deemed service connected (during their lifetime or at the time of death) and are now deceased, with their death resulting from a disease that is now deemed a disease caused by their military service.

With the following changes in the current North Dakota laws, surviving spouses would be able to access benefits.

- Amend and reenact subsection 1 of section 15-10-18.2
 - Higher Education / Definitions
- Amend and reenact subdivision j of subsection 2 of section 39-04-18
 - Motor Vehicle Registration / Motor Vehicles Exempt from Registration Fees
- Amend and reenact subsection 1 of section 57-02-08.8
 - General Property Assessment / Property Tax Credit for Disabled Veterans – Certification - Distribution
- Amend and reenact subsection 1 of section 57-40.3-04
 - Taxation / Motor Vehicle Excise Tax

In all sections, the changes are similar.

For purposes of this subdivision, sufficient proof of receipt of United States department of veterans affairs dependency and indemnity compensation includes correspondence directed to a qualifying veteran's widow or widower by the United States department of veterans affairs which indicates the widow or widower is a survivor of the qualifying veteran and is in receipt of United States department of veterans affairs dependency and indemnity compensation. For purposes of this subsection, if the determination of disability or service - connected death occurs subsequent to the qualifying veteran's death through application of a law that renders a surviving spouse of a qualifying veteran eligible for United States department of veterans' affairs disability and indemnity compensation, the determination for purposes of qualification as a dependent under this subsection is presumed to precede the veteran's death.

The fiscal note estimates a loss of revenues of \$32,214 in the 2023-2025 biennium and \$5,964 in the 2025-2027 biennium.

An amendment to the bill is attached with the request to amend the bill and I respectfully request a favorable recommendation from the committee.