STATE AND FEDERAL VETERANS' PROGRAMS - BACKGROUND MEMORANDUM

House Concurrent Resolution No. 3047 (2019) (Appendix A) provides for a study during the 2019-20 interim regarding state and federal veterans' programs, the programs' eligibility requirements, and the efficiency of public or private entities responsible for the administration of state and federal veterans' programs to ensure all current and future North Dakota veterans receive the care, assistance, and benefits to which the veterans are entitled. The study must include consultation with the Administrative Committee on Veterans' Affairs, the Department of Veterans' Affairs, the Adjutant General, and any veterans' organization seeking to provide input. The Legislative Management is required to report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the 67th Legislative Assembly. The Legislative Management has assigned the responsibility for this study to the Government Administration Committee.

North Dakota Century Code Section 37-01-40(1) defines a "veteran" as an individual who has served on continuous federalized active military duty for 180 days or the full period for which the individual was called or ordered to active military duty for reasons other than training, and who was discharged or released 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 individual a veteran. In addition, for the purposes of Chapter 37-14 relating to veterans' aid programs, Section 37-14-01.1 defines a "veteran" as an individual who served in the armed forces of the United States on federal active duty for reasons other than training and who has been discharged under other than dishonorable conditions.

AGENCIES SERVING VETERANS

United States Department of Veterans Affairs

The United States Department of Veterans Affairs (VA) administers a variety of benefits and services for service members, veterans, dependents, and survivors. The VA operates the nation's largest integrated health care system, with more than 1,200 health care facilities, including 172 VA medical centers and 1,069 outpatient sites. The VA benefits include health care, disability compensation, dental care, education and training, vocational rehabilitation, life insurance, home loan assistance, and burial benefits.

Administrative Committee on Veterans' Affairs

In Senate Bill No. 2089 (1971), the Legislative Assembly created the Administrative Committee on Veterans' Affairs (ACOVA) in Chapter 37-18.1 (Appendix B) to be responsible for the organization, policy, and general administration of all veterans' affairs in North Dakota. The Administrative Committee on Veterans' Affairs consists of 15 voting members, including three members from each of the following veteran organizations:

- The American Legion;
- The Veterans of Foreign Wars;
- The Disabled American Veterans;
- The Veterans of World War II, Korea, and Vietnam (AMVETS); and
- Vietnam Veterans of America.

The 15 voting members are appointed by the Governor from a list of two names submitted by each veteran organization. The Governor selects a chairman and secretary to serve an annual term beginning on July 1 and ending June 30 of each year. Meetings of AVOCA are held upon the call of the chairman and at a time and place selected by the chairman. Meetings must be called by the chairman upon the written request of any four voting members of ACOVA. The Administrative Committee on Veterans' Affairs also consists of three nonvoting members who serve in an advisory role, including the Adjutant General, the director of the federal Veterans Administration for the North Dakota VA regional center, and the executive director of Job Service North Dakota.

The chairman and secretary of ACOVA are required to appoint a seven-member governing board for the administration of the Veterans' Home, which must be approved by a majority vote of ACOVA. The members of the Veterans' Home Governing Board are not required to be members of the ACOVA. The chairman and secretary must also appoint a subcommittee of ACOVA members to be responsible for the supervision and government of the North Dakota Department of Veterans' Affairs (NDVA). A member of the subcommittee may not serve on the Veterans' Home Governing Board.

The Administrative Committee on Veterans' Affairs is responsible for appointing a commissioner of NDVA. The commissioner must be a North Dakota resident and a veteran. The commissioner serves as the executive secretary of the subcommittee but may not vote in the affairs of the subcommittee. The Administrative Committee on Veterans' Affairs determines the salary of the commissioner, subject to legislative appropriations. The Veterans' Home Governing Board and the subcommittee for NDVA are required to conduct an annual performance evaluation of the Veterans' Home administrator and the commissioner, respectively, with the evaluation presented to ACOVA. The board and subcommittee must create and implement a strategic plan for the agencies, which must be submitted annually to AVOCA, which must forward the report to the Governor.

The Administrative Committee on Veterans' Affairs is required to present any veteran matters needing attention and action to the appropriate board, commission, agency, or state department, as well as the North Dakota Veterans' Legislative Council, as recommended by the Veterans' Home Governing Board or the subcommittee for NDVA. The Administrative Committee on Veterans' Affairs is required to ensure compliance with applicable federal and state laws in the administration of both the Veterans' Home and NDVA.

Veterans' Home

In 1891 the Legislative Assembly established a Veterans' Home, to be maintained in Lisbon in Ransom County to provide basic care and long-term care for North Dakota veterans, including honorably discharged soldiers of the North Dakota National Guard, and spouses of veterans. The Veterans' Home Governing Board may establish fees to be paid by residents of the Veterans' Home, which must be based on the adjusted income of each member, but not to exceed 49 percent of the average daily cost. The fees must be set under a formula determined by the Veterans' Home Governing Board and designed to assure dignity and equity in the charge. The administrator of the Veterans' Home must collect fees monthly, which must be deposited in the Veterans' Home operating fund. The administrator may accept and expend funds from donations, gifts, or bequests provided for the benefit of the Veterans' Home. See Appendix C for statutory provisions relating to the Veterans' Home.

Department of Veterans' Affairs

In House Bill No. 107 (1945), the Legislative Assembly established the North Dakota Department of Veterans' Affairs under the supervision and control of a commissioner of veterans' affairs. The commissioner is required to:

- Coordinate agencies and organizations to render services and benefits to veterans;
- Implement programs and benefits authorized by statute;
- Assist or represent veterans or their widows, administrators, executors, guardians, or heirs, in processing claims;
- Advise and assist veterans in taking advantage of the provisions of the Servicemen's Readjustment Act of 1944 [Pub. L. 78-346; 58 Stat. 291], or any similar or related measures afforded by the federal government;
- Provide counties with recommended qualifications and standards for county veterans' service officers (VSO);
- Assist counties with training of county VSOs;
- Provide county VSOs with educational materials;
- Assist county VSOs in the performance of their duties; and
- Do any and all things necessary and proper for the purpose of carrying out the intent and purposes of Chapter 37-18 (Appendix D) regarding North Dakota veterans and the NDVA.

County Veterans' Service Officers

Section 37-14-18 provides the board of county commissioners of each county may appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer. Such appointment must be made with the prior advice of the commissioner of NDVA and in accordance with veterans' preferences. It is the duty of the county VSO to become acquainted with the laws, both state and federal, enacted to assist returning members of the armed forces in the presentation, proof, and establishment of such claims, privileges, and rights as they have. It also is the duty of the county VSO to actively cooperate with and to coordinate the activities of the state and federal agencies within the county which the officer serves to facilitate their operation and ensure promptness in the solution of the problems concerned with the reestablishment of returning servicemen and servicewomen in civilian pursuits. Tribal VSOs are appointed and employed by each respective tribe.

Adjutant General - National Guard

Chapter 37-03 (Appendix E) provides the Governor must appoint the Adjutant General, who must have been a federally recognized commissioned officer of the National Guard for at least 3 years immediately preceding the appointment, must have obtained the rank of lieutenant colonel or higher, and must have completed the educational requirements for appointment as a federally recognized general officer. The Adjutant General is required to determine National Guard membership requirements for employment.

The Adjutant General is required to establish and operate the North Dakota Veterans' Cemetery, which must be located within or adjacent to Fort Abraham Lincoln State Park. The Adjutant General may accept and expend private and federal funds to establish and operate the Veterans' Cemetery. All money received from private or federal sources must be paid to the State Treasurer for deposit into the Veterans' Cemetery maintenance fund. The Adjutant General, with the approval of the Governor, may enter into an agreement with the director of the Parks and Recreation Department for the maintenance of the cemetery. The Adjutant General must provide lots in the state Veterans' Cemetery for the interment of deceased members of the National Guard, other reserve components, veterans and their spouses, minor children, and unmarried adult children who were physically or mentally disabled and incapable of self-support.

In Senate Bill No. 2195 (2019), the Legislative Assembly appropriated $175,000 from the general fund to the Adjutant General for the purpose of defraying the costs of interring veterans' spouses and dependents who are eligible for internment at the Veterans' Cemetery during the 2019-21 biennium.

In House Bill No. 1101 (2019), the Legislative Assembly created Section 37-03-18, which requires the Adjutant General to establish and operate the North Dakota National Guard service member, veteran, family, and survivor support program. The Adjutant General may accept and expend funds from the North Dakota National Guard Foundation or any similar foundation for the benefit of North Dakota National Guard service members, veterans, families, and survivors. The Adjutant General is provided a continuing appropriation for money in the fund. The expenditures from the fund may not exceed $500,000 per biennium unless approved by the Emergency Commission and the Budget Section.

ND Cares Task Force

In December 2015, Governor Dalrymple created the ND Cares Task Force, also known as the North Dakota Cares Coalition, to improve collaboration and coordination on behavior health services for service members, veterans, families, and survivors. The ND Cares Task Force consists of eight members, including the Adjutant General, the executive director of the Department of Human Services, the commissioner of NDVA, the state health officer, the director of the Fargo Veterans' Administration Health Care System, and three members appointed by the Governor. The Legislative Assembly has provided appropriations to the Adjutant General's office for the ND Cares program, including $260,000 for the 2015-17 biennium and $130,000 for each of the 2017-19 and 2019-21 bienniums.

Task Force for Veterans Affairs

In October 2018, Governor Burgum created the Task Force for Veterans Affairs to assess the strengths and weaknesses of the current system for supporting military veterans in North Dakota and to examine how the state's resources can be organized to service veterans most effectively. The task force focuses on increasing collaboration, communication, and efficiencies between state agencies and other organizations to improve veteran programs and services available for veterans. There are 15 members of the task force. Governor Burgum appointed National Guard Brigadier General Robert Fode, who has served in the North Dakota National Guard for 40 years, as the chairman of the task force.

VETERANS' SUPPORT SERVICES

Pursuant to Section 37-18-12, NDVA may accept and expend funds from any source, including federal or private sources, to be used to assist veterans or qualified veterans' spouses when carrying out programs of benefit and service for resident North Dakota veterans as authorized by ACOVA with the approval of the Emergency Commission. All interest earnings from the veterans' postwar trust fund received by the department from ACOVA are appropriated to the department on a continuing basis.

Veterans' Aid Fund

The North Dakota Department of Veterans' Affairs administers the veterans' aid fund loan program and programs supported by the veterans' postwar trust fund, pursuant to Chapter 37-14 (Appendix F). The veterans' aid fund is a permanent revolving fund for the purpose of making loans to veterans or their widows/widowers. To qualify, the applicant is required to be a peacetime veteran, wartime veteran, or National Guard with active duty as defined in

Chapter 37-14, or a widow/widower of an eligible veteran who has not remarried; a citizen and resident of North Dakota for at least 1 year; and have the financial ability to make payments. The maximum loan amount is $5,000, the interest rate may not exceed 10 percent, and loans may not exceed 4 years. If the loan is repaid as agreed upon in the terms, one-half of the interest paid is refunded to the borrower. The department may take legal action to collect delinquent loans.

Hardship Assistance Grants

The North Dakota Department of Veterans' Affairs administers a hardship assistance grant. The purpose of this grant is to give aid and comfort to eligible veterans and their spouses or widows/widowers of eligible veterans who have not remarried, who do not have the financial means to meet certain needs. The individual must have an unmet need of dental work, eyeglasses, hearing aids, transportation for medical treatment, or any special need for medical reasons, approved by the commissioner of NDVA. Grants are funded by the earnings of the veterans' postwar trust fund.

Stand Down Events

In an effort to provide services to homeless veterans, NDVA participates in stand downs. Stand downs are typically 1- to 3-day events providing services to homeless veterans. Services provided include food; shelter; clothing; health screenings; VA and Social Security benefits counseling; and referrals to a variety of other services, such as housing, employment, and substance abuse treatment. Stand downs are collaborative events, typically coordinated between local veteran groups, other government agencies, and community agencies who serve the homeless. The 2019 Legislative Assembly provided a $5,000 general fund appropriation to NDVA for stand down events.

Veterans' Postwar Trust Fund

The veterans' postwar trust fund was created by Section 6 of Senate Bill No. 2271 (1981), which provided for a transfer of unobligated money in the Vietnam veterans' adjusted compensation funds in the state treasury after July 1, 1981, to the veterans' postwar trust fund. Initiated Measure No. 4, approved by the voters in the November 1988 general election, established the veterans' postwar trust fund as a permanent fund and required transfers from the general fund or other sources as appropriated by the Legislative Assembly totaling $3.7 million over 5 years. The initiated measure also appropriated the income from the veterans' postwar trust fund on a continuing basis to ACOVA to be spent for veterans' programs as authorized by law and required the State Treasurer to invest the fund in legal investments as provided by Section 21-10-07.

The final transfer required by the initiated measure was made during the 1993-95 biennium. Initiated Constitutional Measure No. 4, approved by the voters in the November 1996 general election, created a new section to Article X of the Constitution of North Dakota, establishing the veterans' postwar trust fund as a permanent trust fund of the state. The section authorizes the State Treasurer to invest the fund and provides all income received from investments to be utilized for programs which must be of benefit and service to veterans, who are defined by legislative enactment, or their dependents. The income is appropriated to ACOVA on a continuing basis for programs selected at the discretion of ACOVA. The North Dakota Department of Veterans' Affairs is responsible for the disbursement of funds from the veterans' postwar trust fund as directed by ACOVA.

Section 37-14-14 establishes a veterans' postwar trust fund and provides the investment of the fund is the responsibility of the State Treasurer. All income received from investments must be utilized only for programs of benefit and service to North Dakota veterans or their dependents. All income earned in a biennium is appropriated to ACOVA on a continuing basis in the following biennium and not in the biennium the income is earned for veteran program expenditures. Expenditures from the veterans' postwar trust fund include grants to veterans' and their spouses and dependents, costs related to the transportation of veterans for medical appointments, and other veteran programs. Donations and sales for the commemorative memorial coin program, authorized by the Legislative Assembly in Senate Bill No. 2183 (2017), are deposited in the fund, which are used for the design, purchase, and distribution of memorial coins to family members of a deceased North Dakota veteran.

The Legislative Assembly approved House Bill No. 1248 (2019) to authorize individuals to make an election on their North Dakota tax return to make a contribution to the veterans' postwar trust fund. The Tax Commissioner must transfer these optional contributions to the State Treasurer for deposit in the fund.

Food Pantries

The Department of Commerce Division of Community Services periodically updates a list of food pantries operating within the state. This information is provided by the seven Community Action agencies that provide

services within their designated service areas. In addition, the United States Department of Housing and Urban Development maintains a list of food banks, food pantries, food baskets, and hot meals in the state.

United States Department of Veterans' Affairs

The United States Department of Veterans Affairs offers an array of programs and initiatives specifically designed to help homeless veterans live as self-sufficiently and independently as possible. The VA programs offer a continuum of services that include aggressive outreach to those veterans living on streets and in shelters who otherwise would not seek assistance; clinical assessment and referral to needed medical treatment for physical and psychiatric disorders, including substance abuse; long-term sheltered transitional assistance, case management, and rehabilitation; employment assistance and linkage with available income supports; and supported permanent housing.

Homeless Veterans' Dental Program

The Homeless Veterans' Dental Program was established by the VA in 1992 to increase the accessibility of quality dental care to homeless veteran patients and to help assure success in VA-sponsored and VA partnership homeless rehabilitation programs throughout the United States.

Other Veteran Support Services

In addition to the organizations and programs listed above, there are several private, nonprofit, and veteran service organizations that provide services for veterans, including the following:

- **Salvation Army** - The Salvation Army, through a grant with the North Dakota Coalition for Homeless People, has funding available for assistance to North Dakota veterans and their families who are homeless or at risk of homelessness. Services provided by the Salvation Army include case management; assistance in obtaining VA benefits; assistance in coordinating and obtaining other benefits which may include referrals to health care services, food pantries, and other basic needs; personal financial planning services; transportation services; and temporary financial assistance of time-limited payments to third parties for rent, utilities, security and utility deposits, transportation, and emergency supplies.
- **North Dakota Coalition for Homeless People** - The North Dakota Coalition for Homeless People is an organization of service providers established in 1989 to address the concerns of homelessness in the state. The coalition works with subgrantees, including the Salvation Army and Community Action, to administer funds provided through the Supportive Services for Veteran Families program with funding provided by the VA. The program works through private nonprofit organizations and consumer cooperatives to provide supportive services to low-income veteran families living in or transitioning to permanent housing. The program provides eligible veteran families with outreach, case management, and assistance in obtaining VA and other benefits which may include health care services, daily living services, personal financial planning, transportation services, fiduciary and payee services, legal services, child care services, and housing counseling.
- **North Dakota Veterans Emergency Needs Charitable Fund** - The North Dakota Veterans Emergency Needs Charitable Fund was established by the commissioner of NDVA to receive tax-deductible donations to provide resources for emergency needs of North Dakota veterans and their eligible dependents. The 501(c)(3) fund was established through the Impact Foundation of Fargo to meet one-time emergency needs of veterans that may include dental care, vision, hearing, transportation for medical treatment, and other special needs as approved by the fund advisors. Funding from the charitable fund is in addition to funds available from the earnings of the veterans' postwar trust fund and may be used to assist veterans with needs that do not meet the criteria for other veterans' assistance programs.

VETERANS' EDUCATION SERVICES

Honorary high school diplomas are available for World War II, Korean War, and Vietnam War veterans and are designed for those who left high school to serve in these wars. Application can be made to the Department of Public Instruction. General educational development (GED) test preparation assistance is available through the Veterans' Upward Bound program. Postsecondary education benefits include the Veterans' Upward Bound program, GI Bill benefits, Leave No Veteran Behind, Survivors and Dependents Educational Assistance, scholarships, tuition waivers for qualified dependents attending any North Dakota University System college, and the Yellow Ribbon Program.

University System Tuition Waivers

University System tuition waivers are available for qualified dependents attending any University System institution of higher education. Pursuant to Section 15-10-18.3 (Appendix G), a dependent of a North Dakota veteran who was killed, totally disabled, or declared missing in action may attend a University System institution without

paying tuition or fees for up to 45 months. Eligible dependents must be accepted for enrollment by a University System campus, and the cost for aviation flight charges or expenses are not included in the waiver.

Chapter 37-07.1 (Appendix H) provides a qualifying member of the National Guard who enrolls in any state-controlled school, subject to rules adopted by the Adjutant General, is entitled to receive a 25 percent waiver of the tuition from the state-controlled school, conditioned on the Adjutant General having sufficient appropriations for tuition reimbursement. It is the responsibility of the individual member of the National Guard to obtain a certificate from the Adjutant General or the Adjutant General's designee attesting to satisfactory guard performance and describing qualification requirements and to present the certificate to the school in order to obtain a waiver of tuition fees.

Chapter 37-07.2 (Appendix I) provides any qualifying member of the National Guard who enrolls in an accredited postsecondary institution in North Dakota may, subject to legislative appropriations and subject to National Guard rules adopted by the Adjutant General, receive a grant in an amount not to exceed the cost of tuition and fees for similar courses and credit-hours for each qualifying member of the National Guard who is enrolled at a University System institution of higher education with the highest tuition and fee rate. Any accredited postsecondary institution that agrees to participate in such a program must waive 25 percent of the tuition for qualifying National Guard service members. These grants must be distributed according to rules determined by the Adjutant General and are available only so long as the member maintains satisfactory performance with the National Guard, meets the qualification requirements of the rules, and pursues a course of study which satisfies the normal requirements of the school.

Scholarships

Scholarships are available from various organizations for veterans, active military, their children, and, in some cases, their grandchildren.

Veterans' Upward Bound Program

The Veterans' Upward Bound program is an individualized educational program for veterans who seek academic preparation before entering or during postsecondary education. Coursework in English, computer literacy, mathematics, science, and reading is designed to prepare veterans for successful participation in postsecondary education. In addition to academic coursework, the program provides advising and referral services. Veterans may be eligible to receive educational benefits while attending the program. Prior to the 2013-15 biennium, funding for the program was provided through a grant from the United States Department of Education. The Legislative Assembly appropriated $277,875 from the general fund to the University System to provide assistance to eligible veterans during the 2019-21 biennium.

GI Bill

The GI Bill administered by the VA is an education benefit earned by active duty, selected reserve, and National Guard servicemembers. The benefit is designed to help servicemembers and eligible veterans cover the costs associated with getting an education or training. The GI Bill has several programs and each is administrated differently, based on eligibility and duty status.

Yellow Ribbon Program

The Yellow Ribbon Program is a provision of the Post-9/11 Veterans Educational Assistance Act of 2008. This program allows institutions of higher learning (degree-granting institutions) in the United States to voluntarily enter into an agreement with the VA to pay tuition expenses that exceed the highest public in-state undergraduate tuition rate. The institution can contribute up to 50 percent of those expenses, and the VA will match the same amount as the institution.

Survivors and Dependents Educational Assistance

Survivors and Dependents Educational Assistance provides education and training opportunities to eligible dependents of certain veterans. The VA program offers up to 45 months of education benefits. These benefits may be used for degree and certificate programs, apprenticeship, and on-the-job training. Remedial, deficiency, and refresher courses may be approved under certain circumstances.

Leave No Veteran Behind

Leave No Veteran Behind is a national 501(c)(3) nonprofit organization that assists veterans with employment training, transitional jobs, and provides veteran educational debt relief scholarships. Leave No Veteran Behind accepts private donations to assist veterans with student loans. Leave No Veteran Behind works to address veteran

unemployment issues and strives to help veterans attain sustainable financial conditions for themselves and their families.

VETERANS' ENTREPRENEURSHIP SERVICES

Veteran-owned businesses or veterans interested in starting a business can receive assistance with business development, financing, and government contract application.

United States Small Business Administration

The United States Small Business Administration (SBA) was created in 1953 as an independent agency of the federal government to aid, counsel, assist, and protect the interests of small business concerns, to preserve free competitive enterprise, and to maintain and strengthen the overall economy of the nation. The Small Business Administration helps Americans start, build, and grow businesses. The Patriot Express Pilot Loan Initiative is available through the SBA for veterans and members of the military community establishing or expanding small businesses. The Office of Veterans Business Development operates within the SBA to maximize the availability, applicability, and usability of all administration small business programs for veterans, service-disabled veterans, reserve component members, and their dependents or survivors.

Procurement Technical Assistance Program

The Procurement Technical Assistance Program was authorized by Congress in 1985 in an effort to expand the number of businesses capable of participating in the government marketplace. Administered by the Department of Defense, Defense Logistics Agency, the program provides matching funds through cooperative agreements with state and local governments and nonprofit organizations for the establishment of Procurement Technical Assistance Centers to provide procurement assistance. Procurement Technical Assistance Centers are primarily focused on helping existing companies secure government contracts and work with veteran and service-disabled veteran entrepreneurs to position their companies to successfully compete in the government contracting arena.

Entrepreneurship Training

Entrepreneurship training allows eligible servicemembers and veterans to use VA education benefits to take courses offered by the Small Business Development Centers or the National Veterans Business Development Corporation, better known as "The Veterans Corporation." Individual courses must be specifically approved for VA purposes to qualify as benefits.

Entrepreneurship Bootcamp for Veterans with Disabilities

The Entrepreneurship Bootcamp for Veterans with Disabilities (EBV) offers training in entrepreneurship and small business management to post-9/11 veterans with disabilities resulting from service to the country. The bootcamp, largely privately funded, was founded at Syracuse University in 2007 but is now offered by a network of eight institutions. The bootcamp is designed to open the door to business ownership for veterans by developing skills associated with launching and growing a small business and helping leverage programs and services for veterans and people with disabilities.

VETERANS' MENTAL HEALTH SERVICES

The Veterans Health Administration provides general inpatient psychiatric services and mental health outpatient services at over 1,200 medical centers and community-based outpatient clinics. In addition, readjustment counseling services are available for veterans and their families at veterans' centers across the nation. Mental health services are available in primary care clinics, VA nursing homes, and residential care facilities where veterans receive health care. Veterans with a serious mental illness may receive services at facilities and clinics where specialized programs, such as mental health intensive case management, day centers, work programs, and psychosocial rehabilitation are provided. The VA provides a confidential 24/7 Veterans Crisis Line for veterans in crisis and their families. Trained VA professionals are available at all times to assist veterans and their family members. Veterans and their families do not have to be enrolled in the VA to use the free, confidential Veterans Crisis Line. Coaching Into Care is a national telephone-based support service for family members and others to assist veterans in accessing their VA health care benefits, particularly for mental health issues.

Service Dogs for America

Service Dogs for America is a 501(c)(3) nonprofit organization that trains and certifies service dogs, then provides the dogs to individuals with disabilities, including veterans with posttraumatic stress disorder (PTSD), to provide the individual with daily assistance, physical and emotional support, calming the veteran with anxiety attacks, and providing comfort in public settings. The cost of each service dog, including training, is $25,000. Since the 2015-17 biennium, the Legislative Assembly has appropriated $50,000 each biennium to NDVA for a grant to

pay one-half of the cost of a service dog, or $12,500, for four North Dakota veterans with PTSD. The remaining cost of each dog is paid by veteran service organizations or donations.

Posttraumatic stress disorder is a disorder which causes disabling anxiety after a dangerous event, such as being in combat or a traffic accident. The high level of anxiety of PTSD can lead to associated problems like panic attacks, depression, alcoholism, and substance abuse. Veterans' centers, the National Suicide Prevention Lifeline, Military OneSource, Troop and Family, North Dakota National Guard Family Support, TRICARE, or the North Dakota Department of Human Services Behavioral Health Division are available to assist veterans with PTSD or any other mental health issues.

VETERANS' TAX CREDITS

Property Tax Credit for Disabled Veterans

Certain qualified disabled veterans may be eligible for property tax exemptions or property tax reductions, which also apply to the unremarried surviving spouse of a qualified deceased veteran.

Pursuant to Section 57-02-08(20), the first $120,000 of true and full value of property owned and occupied as a homestead by certain qualified disabled veterans or their unremarried surviving spouse may be eligible for an exemption from property tax.

In addition, Section 57-02-08.8 provides a disabled veteran of the United States armed forces with an armed forces service-connected disability of 50 percent or greater or a disabled veteran who has an extra-schedular rating to include individual unemployability that brings the veteran's total disability rating to 100 percent as determined by NDVA, who was discharged under honorable conditions or who has been retired from the United States armed forces, or the unremarried surviving spouse if the disabled veteran is deceased, is eligible for a credit applied against the first $6,750 of taxable valuation ($150,000 of true and full value) of the fixtures, buildings, and improvements of the homestead owned and occupied by the disabled veteran or unremarried surviving spouse equal to the percentage of the disabled veteran's disability compensation rating for service-connected disabilities as certified by NDVA for the purpose of applying for a property tax exemption. The 2019 Legislative Assembly appropriated $8.4 million from the general fund to the Tax Commissioner for this benefit during the 2019-21 biennium.

Retired Military Personnel Benefits Deduction

In House Bill No. 1053 (2019), the Legislative Assembly amended Section 57-38-30.3(2) to allow retired veterans to deduct military personnel benefits, including benefits paid to the surviving spouse of a decreased veteran, on their North Dakota tax return to reduce their North Dakota taxable income, but only to the extent the amount was included in federal taxable income.

OTHER BENEFITS FOR VETERANS

- Chapter 37-19.1 - Veterans' preferences - Provides veterans are entitled to preference, over all other applicants, in recruitment and selection processes by governmental agencies, provided that such veteran is a United States citizen at the time of application for employment. Veterans qualified for preference may not be disqualified from holding any position with an agency because of physical or mental disability, unless the disability renders them unable to properly perform the duties of the position applied for.
- Veterans' adjusted compensation (bonuses) - Chapter 37-28 provides for adjusted compensation payments to members of the North Dakota National Guard, and North Dakota residents of the reserve and active duty component, who were mobilized after December 5, 1992, in support of military operations around the world.
- Park fees - North Dakota veterans with a 100 percent, service-related disability and former prisoners of war (POWs) are eligible for a free annual permit. All other North Dakota veterans with service-related disabilities are eligible to receive an annual permit for $20. The Golden Access Passport is issued by the Army Corps of Engineers to any individual who has been medically determined to be blind or permanently disabled for purposes of receiving benefits under federal law, including admission to federal parks.
- Aircraft excise tax exemption - Under Section 57-40.5-03(1), an aircraft acquired by a disabled veteran is exempt from aircraft excise tax.
- Motor vehicle excise tax exemption - Under Section 57-40.3-04(1), any motor vehicle acquired by, or leased and in the possession of, a resident disabled veteran who registers, or is eligible to register, the vehicle with a distinctive license plate is exempt from motor vehicle excise taxes. A surviving spouse who has not remarried and is receiving NDVA dependency and indemnity compensation retains the exemption of the deceased, qualifying veteran.

- Veteran's indicator on North Dakota driver's license - Veterans can request to have an indicator on their North Dakota driver's license to show they are veterans of United States military service.
- Reduced fees for licenses - Section 20.1-03-12 provides a Game and Fish Department resident fishing license for a disabled veteran who has a 50 percent service-related disability is $5 instead of $16. The price for a combined general game, habitat stamp, small game, and fur-bearer license for a disabled veteran who has a 100 percent service-related disability is $3 instead of $50.
- Veterans' Cemetery - Veterans may be buried in the North Dakota Veterans' Cemetery at no charge. Prior to the 2019-21 biennium, a fee was charged for a spouse or eligible dependent buried on the same plot at the cemetery. In Senate Bill No. 2195 (2019), the Legislative Assembly appropriated $175,000 from the general fund to the Adjutant General for costs related to interring veterans' spouses and dependents who are eligible for internment at the Veterans' Cemetery.
- The Honor Flight of North Dakota and Minnesota and the North Dakota Native Veterans Honor Flight are volunteer organizations that provide North Dakota and Minnesota veterans an opportunity to tour Washington D.C. at no cost to the veteran. In House Concurrent Resolution No. 3019 (2019), the Legislative Assembly expressed appreciation to the volunteers and donors who support these organizations that serve veterans.

STATE FUNDING FOR MAJOR STATE VETERAN PROGRAMS

Tax Commissioner

Below is a summary of general fund appropriations provided by the Legislative Assembly for the Tax Commissioner for the 2009-11 through 2019-21 bienniums.

	2009-11 Biennium	2011-13 Biennium	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
Disabled veterans' tax credit program	$3,000,000	$4,243,920	$7,678,000	$7,175,091	$8,110,200	$8,410,200

North Dakota University System Office

Below is a summary of general fund appropriations provided by the Legislative Assembly for the Higher Education University System Office for the 2013-15 through 2019-21 bienniums.

	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
Veterans' assistance grants	$325,000	$325,000	$277,875	$277,875

Veterans' Home

Below is a summary of appropriations provided and full-time equivalent (FTE) positions authorized by the Legislative Assembly for the Veterans' Home for the 2009-11 through 2019-21 bienniums.

	2009-11 Biennium	2011-13 Biennium	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
Salaries and wages	$11,538,855	$13,916,861	$15,874,867	$17,504,980	$18,684,490	$18,916,632
Accrued leave payments			458,196			
Operating expenses	4,561,857	5,942,285	5,408,850	4,958,742	5,454,239	5,108,731
Capital assets	259,906	705,500	1,622,040	678,600	553,303	696,333
Administrator's residence						233,450
Shop addition			788,200			
New Veterans' Home facility	11,028,983	332,000				
Federal stimulus funds	3,158,005					
Geothermal system[1]	3,039,414					
Total	$33,587,020	$20,896,646	$24,152,153	$23,142,322	$24,692,032	$24,955,146
General fund	$16,751,722	$5,553,323	$7,722,353	$8,128,024	$5,951,439	$5,679,324
Other funds	$16,835,298	$15,343,323	$16,429,800	$15,014,298	$18,740,593	$19,275,822
FTE	120.72	120.72	120.72	120.72	120.72	120.72

[1]For the 2009-11 biennium, the Veterans' Home was provided a contingent general fund appropriation of $3,039,414 for the installation of a geothermal heating system in the new Veterans' Home facility, if federal funds for the system are not available, to provide a total cost of using $3,039,414 for the system, either from federal funds, or if federal funds are not available, from the contingent general fund appropriation.

Department of Veterans' Affairs

Below is a summary of appropriations provided and FTE positions authorized by the Legislative Assembly for NDVA for the 2009-11 through 2019-21 bienniums.

	2009-11 Biennium	2011-13 Biennium	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
Veterans' affairs	$1,031,487	$1,417,219	$1,425,580	$1,397,242	$1,168,015	$1,347,629
Accrued leave payments			10,123			
Transport vans			30,000		37,200	18,800
Service dogs				25,000	50,000	50,000
Agent orange				50,000		
Desktop support				34,635		
Transfer to the veterans' postwar trust fund			250,000			
State Approving Agency				288,018	271,998	285,658
Grants - Transportation program					1,719,520	800,000
Veterans' Home cemetery						291,500
Total	$1,031,487	$1,417,219	$1,715,703	$1,794,895	$3,246,733	$2,793,587
General fund	$1,031,487	$1,417,219	$1,715,703	$1,506,877	$1,155,162	$1,416,430
Other funds				$288,018	$2,091,571	$1,377,157
FTE	7.00	7.00	8.00	9.00	7.00	7.00

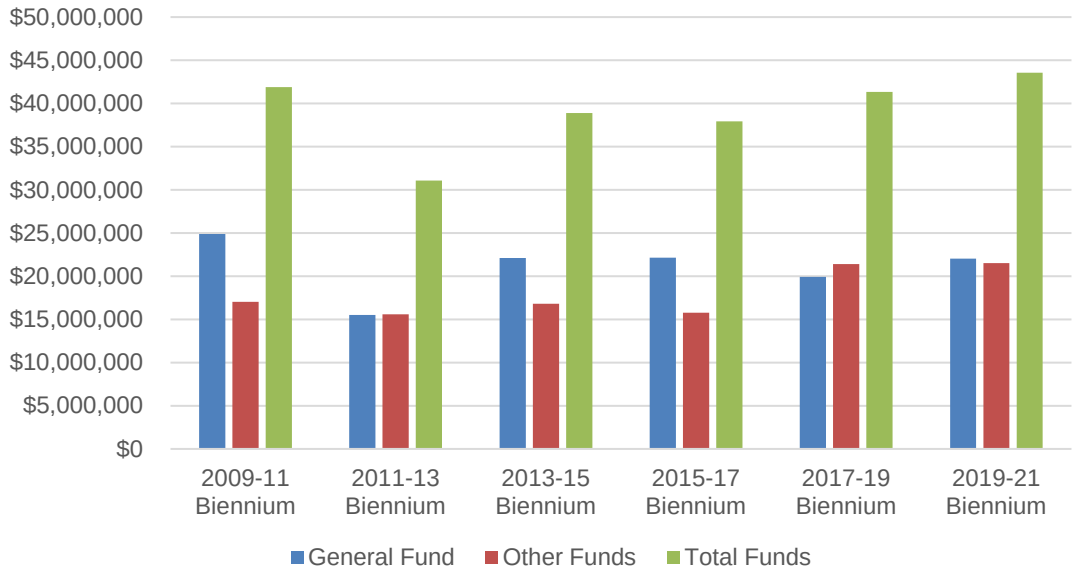
Adjutant General - National Guard

Below is a summary of select appropriations related to veteran programs authorized by the Legislative Assembly for the Adjutant General - National Guard for the 2009-11 through 2019-21 bienniums.

	2009-11 Biennium	2011-13 Biennium	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
ND Cares Task Force operations				$260,000	$130,000	$130,000
Tuition, recruitment and, retention	$2,407,500	$2,407,500	$2,892,500	2,517,500	3,177,500	4,782,072
Veterans' cemetery	489,141	576,916	647,005	811,486	881,284	1,151,906
Reintegration program	1,377,409	1,550,149	1,486,980	1,903,743	811,384	1,051,168
Total	$4,274,050	$4,534,565	$5,026,485	$5,492,729	$5,000,168	$7,115,146
General fund	$4,086,568	$4,285,865	$4,659,080	$5,013,060	$4,416,603	$6,266,081
Other funds	$187,482	$248,700	$367,405	$479,669	$583,565	$849,065

Total Veteran Funding

The following is a summary of funding for North Dakota veteran programs for the 2009-11 through 2019-21 bienniums:



	2009-11 Biennium	2011-13 Biennium	2013-15 Biennium	2015-17 Biennium	2017-19 Biennium	2019-21 Biennium
General fund	$24,869,777	$15,500,327	$22,100,136	$22,148,052	$19,911,279	$22,049,910
Other funds	17,022,780	15,592,023	16,797,205	15,781,985	21,415,729	21,502,044
Total funds	$41,892,557	$31,092,350	$38,897,341	$37,930,037	$41,327,008	$43,551,954
Funding Increase (Decrease)						
General fund	N/A	($9,369,450)	$6,599,809	$47,916	($2,236,773)	$2,138,631
Other funds	N/A	(1,430,757)	1,205,182	(1,015,220)	5,633,744	86,315
Total funds	N/A	($10,800,207)	$7,804,991	($967,304)	$3,396,971	$2,224,946
Percentage Increase (Decrease)						
General fund	N/A	(37.7%)	42.6%	0.2%	(10.1%)	10.7%
Other funds	N/A	(8.4%)	7.7%	(6.0%)	35.7%	0.4%
Total funds	N/A	(25.8%)	25.1%	(2.5%)	9.0%	5.4%

PREVIOUS STUDIES

The 2013-14 interim Government Services Committee, pursuant to Section 3 of Senate Bill No. 2344 (2013), studied North Dakota veterans' benefits, including state and federal benefits and statutory changes that would benefit North Dakota veterans, state income taxes, property taxes, veteran-focused incentives, assistance with obtaining and maintaining benefits, and assistance with obtaining and maintaining various life-enhancing services. The committee reviewed veterans' service agencies, support services, education services, entrepreneurship services, mental health services, and other state benefits for veterans. The committee also reviewed veteran statutes, including the statutory definitions of veterans, as well as income tax exemptions for veterans' retirement compensation. The committee recommended Senate Bill No. 2042 (2015) to exempt military retirement pay from state income tax, effective for taxable years beginning after December 31, 2014. The bill was not approved by the 2015 Legislative Assembly; however, the Legislative Assembly approved House Bill No. 1053 (2019) to exempt military retirement pay from state income tax, effective for taxable years beginning after December 31, 2018.

The 2007-08 interim Public Safety Committee, pursuant to House Concurrent Resolution No. 3063 (2007), studied the delivery and funding of veterans' services by the state and counties. The committee received information regarding benefits available to North Dakota veterans and performance audits of NDVA and ACOVA. The committee received information from county VSOs regarding the delivery and funding of veterans' services. The committee learned 95 percent of the state's veterans' claims processed originate through county VSOs. The committee received suggestions for improving the delivery and funding of veterans' services, including modifying the mission of NDVA to train and provide support, reviewing job descriptions of county VSOs, eliminating NDVA claims personnel and assign them to training and support, budgeting the necessary funding for training and support, and encouraging regionalization and cooperation between counties. The committee recommended House Bill No. 1057 (2009), which was approved by the Legislative Assembly. The final bill:

- Required county VSOs to maintain accreditation by the National Association of County Veterans Service Officers within 1 year of appointment.
- Provided a $20,000 general fund appropriation to NDVA for arranging for National Association of County Veterans Service Officers accreditation training during the 2009-11 biennium.
- Allowed two existing NDVA FTE positions to be used for training officers for the 2009-11 biennium.
- Provided a county VSO may not serve as a conservator for an individual who is receiving benefits or services from NDVA or the VA, except if the individual is the spouse or an immediate family member of the officer.
- Provided any employee of NDVA may not be a conservator for a person receiving benefits or services from the department, except if the individual is the spouse or an immediate family member of the employee.

STUDY PLAN

The following is a proposed study plan for the committee's consideration in its study of state and federal veterans' programs:

1. Receive and review information regarding state and federal veteran program administration, eligibility requirements, and funding, care, assistance, and benefits available to North Dakota veterans from representatives of the following organizations:
   a. United States Department of Veterans Affairs;
   b. Administrative Committee on Veterans' Affairs;
   c. Veterans' Home;

d. North Dakota Department of Veterans' Affairs;

e. County veteran service officers;

f. Adjutant General's office;

g. Task Force for Veterans Affairs;

h. North Dakota Veterans' Legislative Council; and

i. Veteran service organizations.

2. Receive and review information from the Tax Commissioner regarding state income tax and property tax benefits available to North Dakota veterans.
3. Receive and review information from state agencies and other veteran organizations regarding options to improve programs, care, assistance, and benefits available to North Dakota veterans.
4. Receive and review information from interested persons regarding the committee's study of state and federal veterans' programs.
5. Consider program changes that would benefit North Dakota veterans.
6. Develop recommendations and any bill drafts necessary to implement the recommendations.
7. Prepare a final report for submission to the Legislative Management.

ATTACH:9