

**HOUSE BILL NO. 1131**

Introduced by

Representatives Laning, Trottier

Senators Dever, Marcellais

1 A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North  
2 Dakota Century Code, relating to exempting the sale of commemorative memorial coins from  
3 sales tax; to amend and reenact section 37-18-12 and subsection 2 of section 37-18-15 of the  
4 North Dakota Century Code, relating to funding authority of the department of veterans' affairs  
5 and veteran commemorative coins; to provide a continuing appropriation; and to provide for  
6 retroactive application.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 37-18-12 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **37-18-12. Funding authority - Continuing appropriation.**

11 ~~The~~

12 1. Except as otherwise provided by subsection 2, the department of veterans' affairs may  
13 accept and expend funds from any source, including federal or private sources, to be  
14 used to assist veterans or qualified veterans' spouses in obtaining assistance and to  
15 pay other expenses authorized by law incurred in carrying out programs of benefit and  
16 service for resident North Dakota veterans as authorized by the administrative  
17 committee on veterans' affairs with the approval of the emergency commission.

18 ~~However, all~~

19 2. The department of veterans' affairs may apply for, accept, and receive any private  
20 donation, gift, grant, or bequest that is offered or tendered with a specifically identified  
21 purpose or a restrictive condition and which is related to a benefit or service for  
22 resident North Dakota veterans.

23 a. The department shall administer and expend any private donation, gift, grant, or  
24 bequest in accordance with the purpose or condition imposed by the donor.

1           **b.** All moneys received or accepted under this subsection are appropriated on a  
2                           continuing basis to the department of veterans' affairs in accordance with the  
3                           donor's instructions.

4           **3.** All interest earnings from the veterans' postwar trust fund received by the department  
5                           of veterans' affairs from the administrative committee on veterans' affairs are  
6                           appropriated to the department on a continuing basis.

7           **SECTION 2. AMENDMENT.** Subsection 2 of section 37-18-15 of the North Dakota Century  
8 Code is amended and reenacted as follows:

9           **2.** ~~A family member of a deceased North Dakota veteran~~Any person may purchase a  
10                           commemorative memorial coin from the department of veterans' affairs at a cost  
11                           determined by the department.

12           **SECTION 3.** A new subsection to section 57-39.2-04 of the North Dakota Century Code is  
13 created and enacted as follows:

14                           Gross receipts from all sales of commemorative memorial coins under section  
15                           37-18-15.

16           **SECTION 4. RETROACTIVE APPLICATION.** Subsection 2 of section 1 of this Act applies  
17 to all private donations, gifts, grants, and bequests already tendered, offered, or made with a  
18 specifically identified purpose, or a restrictive condition.