

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1131
(Representatives Laning, Trottier)
(Senators Dever, Marcellais)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

The

1. Except as otherwise provided by subsection 2, the department of veterans' affairs may accept and expend funds from any source, including federal or private sources, to be used to assist veterans or qualified veterans' spouses in obtaining assistance and to pay other expenses authorized by law incurred in carrying out programs of benefit and service for resident North Dakota veterans as authorized by the administrative committee on veterans' affairs with the approval of the emergency commission. However, all
2. The department of veterans' affairs may apply for, accept, and receive any private donation, gift, grant, or bequest that is offered or tendered with a specifically identified purpose or a restrictive condition and which is related to a benefit or service for resident North Dakota veterans.
 - a. The department shall administer and expend any private donation, gift, grant, or bequest in accordance with the purpose or condition imposed by the donor.
 - b. All moneys received or accepted under this subsection are appropriated on a continuing basis to the department of veterans' affairs in accordance with the donor's instructions.
3. All interest earnings from the veterans' postwar trust fund received by the department of veterans' affairs from the administrative committee on veterans' affairs are appropriated to the department on a continuing basis.

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

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

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

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

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1131.

House Vote: Yeas 90 Nays 0 Absent 4

Senate Vote: Yeas 45 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State