

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

SB 2195

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB2195
1/18/2019
31036

- Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses & dependents burial fees at the veterans' cemetery.

Minutes:

Att#1 – Sen Marcellais, Att#2-Jim Nelson, Att#3-Mark Landis, Att# 4-Robert Becklund

Chairman Davison: Let's open SB2195.

Sen Marcellais, Dist 9, Belcourt.: I am here in support of SB2195. (see att#1)

Chairman Davison: Any questions? More in support?

Jim Nelson: I am here in support of this bill. (see att#2) I stand for questions. (6.00)

Chairman Davison: In Sen Marcellais testimony it has \$550 to be waived. Is that the cost?

Jim: The Veteran is buried free. That is the reopening fee if a spouse dies or dependent who is buried in the veteran's plot. (6.46)

Sen. Shawn Vedaa: Can you tell me the difference between this cemetery and the new national one in Fargo. Is anyone qualified to be buried there?

Jim: Any veteran or spouse or dependent. They have no fee in Fargo.

Sen. Shawn Vedaa: Why was the Fargo one built?

Jim: There is a difference between a federal and a state cemetery. Ours is state and Fargo is federal. (8.18) Whole different world.

Chairman Davison: More in support?

Mark Landis, Veterans Service Officer, Burleigh County: I am the president of the Professional Veterans Advocates of North Dakota. I come here in support of SB2195. (see att#3) (10.00-11.38) I stand for questions.

Chairman Davison: Any more in support? Agency testimony.

Brigadier General Robert Becklund, North Dakota National Guard: I am here in a neutral position to provide information to the committee on SB2195. (see att#4) We do not think \$168,000 will be enough as stated in this bill. We have \$14,900.00 funds of prepaid money in our fund. Standing Rock just got a grant to build an all nation veterans cemetery. (14.00) I will take questions.

Sen. Erin Oban: Do you have a breakdown of the \$166,000, \$196,000 are dependents vs spouses?

General Becklund: Spouses and dependents are covered in Fargo cemetery.

Sen. Shawn Vedaa: Thank you for your service. I noticed we have a free cemetery in Fargo. Could this bill loose families who would go to Fargo instead of ours? We have a beautiful vets cemetery here.

General Becklund: We have done some analysis and we do not feel there will be a major impact here. The \$550 may make a difference but we don't feel much. (17.41)

Sen. Erin Oban: Does that \$550 cover the cost?

General Becklund: That is the opening and closing cost. We don't make any money.

Sen. Erin Oban: Do you know when that rate was last increased?

General Becklund: Not sure. It started out at \$200 then went up to \$300. As things go I expect that rate to increase to keep up with labor rates.

Sen. Erin Oban: Do we have to authorize this?

General Becklund: I believe so. I think our special funds need to be appropriated. (18.45)

Sen. Shawn Vedaa: In 1989 when I came into the guard, I remember talk about the cemetery. How does the burial work?

General Becklund: We don't do services out there. No religious, so just burial. We do the military honors, present the flag to family. If you earned a rifle volley, we do that. May be up to 21-gun salute. There is a short graveyard ceremony. We did 80 funerals a month.

Sen. Shawn Vedaa: Are spouses buried next to each other?

General Becklund: I think there are options. On top of each other. Spouses have their information on the other side of monument.

Chairman Davison: Any more testimony? Any opposing testimony? Hearing is closed. Sen Marcellais, do you know why there is no fiscal note?

Sen. Richard Marcellais: This was from two sessions ago and this was the cost. It is an estimate. I just made a trip to Arlington Cemetery and they have over 200,000 graves. They are buying more land. There are 20-30 veterans buried a day out there. It is free to vet and spouse and dependents. Stand Rock is a federal cemetery. (22.49) Fargo is still in ground breaking mode.

Sen. Shawn Veda: What is a qualifying dependent?

Sen. Richard Marcellais: Any immediate dependents. No age limit.

Chairman Davison: General, could you come back up? Do you know why there is no fiscal note on this bill?

General Becklund: We did not introduce this bill. This bill would give us an additional \$168,000 off of our account. I believe this is driving a fiscal note.

Chairman Davison: Thank you. We will hold this for now and get an answer on fiscal note.

Adjourned

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB2195
1/24/2019
31414

- Subcommittee
 Conference Committee

Committee Clerk Signature : Pam Dever

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses & dependents burial fees at the veterans' cemetery.

Minutes:

Att #1- Sen. Shawn Vedaa:

Chairman Davison: Please look at SB2195.

Sen. Shawn Vedaa: After talking to General Becklund, he mentioned that \$210,000 was not reality and it should be more. \$250,000 is better. I put in an amendment to on page, line that has \$160,000 with \$250,000. Amendment is 19.0933.01001. (see att #1)

Sen. Shawn Vedaa: I move a DO PASS on the amendment. **Vice Chair Meyer:** I second.

Chairman Davison: We are adding additional people so adding more funds was right.
Take the roll: **YES -- 7 NO -- 0 -0- absent. AMENDMENT PASSED**

Sen. Kristin Roers: I move a DO PASS as AMENDED and rerefer to appropriations
Sen. Shawn Vedaa: I second.

Chairman Davison: Any discussion? Take the roll: **YES -- 7 NO -- 0 -0- absent PASSED as AMENDED and REFERER to APPROPRIATIONS**
Sen. Richard Marcellais will carry when it comes back from approps.

19.0933.01001
Title.02000

Prepared by the Legislative Council staff for
Senator Vadaa
January 18, 2019

86
101

PROPOSED AMENDMENTS TO SENATE BILL NO. 2195

Page 1, line 5, replace "\$160,000" with "\$250,000"

Renumber accordingly

1-24-19

Date:
Roll Call Vote #: 2

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2195

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: 19,0933,01001

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Sen. Roers Seconded By Sen. Vedaa

Senators	Yes	No	Senators	Yes	No
Chair Davison	/		Sen. Oban	/	
Vice Chair Meyer	/		Sen. Marcellais	/	
Sen. Elkin	/				
Sen. K. Roers	/				
Sen. Vedaa	/				

Total (Yes) 7 No 0

Absent -0-

Floor Assignment Sen. Marcellais

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

REPORT OF STANDING COMMITTEE

SB 2195: Government and Veterans Affairs Committee (Sen. Davison, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2195 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$160,000" with "\$250,000"

Renumber accordingly

*this was done on Senate Floor
referred to Approps,
journal was corrected - see att page →*

JOURNAL OF THE SENATE

Sixty-sixth Legislative Assembly

Bismarck, January 31, 2019

The Senate convened at 1:00 p.m., with President Sanford presiding.

The prayer was offered by Pastor Bob Weiss, First Baptist Church, Bismarck.

The roll was called and all members were present except Senator Robinson.

A quorum was declared by the President.

CONSIDERATION OF AMENDMENTS

SB 2045: SEN. OBAN (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 342 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2195: SEN. MARCELLAIS (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 347 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2288: SEN. KANNIANEN (Finance and Taxation Committee) MOVED that the amendments on SJ pages 349-350 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2327: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ page 350 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2193: SEN. DOTZENROD (Finance and Taxation Committee) MOVED that the amendments on SJ pages 345-347 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

MOTION

 **SEN. KLEIN MOVED** that SB 2195 be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Sen. Klein's motion, SB 2195 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2192: SEN. DOTZENROD (Finance and Taxation Committee) MOVED that the amendments on SJ pages 343-345 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2290: SEN. ANDERSON (Human Services Committee) MOVED that the amendments on SJ page 350 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2247: SEN. HOGAN (Human Services Committee) MOVED that the amendments on SJ pages 348-349 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

CONSIDERATION OF AMENDMENTS

SB 2243: SEN. O. LARSEN (Human Services Committee) MOVED that the amendments on SJ page 348 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed on a voice vote.

2019 SENATE APPROPRIATIONS

SB 2195

2019 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2195
2/8/2019
Job # 32457

- Subcommittee
 Conference Committee

Committee Clerk: Rose Laning and Alicia Larsgaard

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery.

Minutes:

Testimony Attached # 1 – 4.

Legislative Council: Levi Kinnischtzke
OMB: Becky Deichert

Chairman Holmberg: Called the committee to order on SB 2195. The bill came from GVA.

Senator Marcellais, District 9, Rolette County

Testimony in support of SB 2195 - Attached # 1.

Jim Nelson, ND Veterans Legislative Council

Testimony in support of SB 2195 - Attached - # 2.

Senator Bekkedahl: Your testimony talks about the spouses but the bill talks about eligible dependents as well. Do you have any feelings on the opportunities of dependents?

Jim Nelson: I would include them because there are special requirements for burial and I would stand with the same recommendation.

Senator Dever: If I precede, my wife has no expenses, but if she precedes, then, as the veteran, I'm the one who has those expenses. If I die first, the government is paying for the expenses of my burial, correct? If she dies first, then I'm paying the expenses.

Jim Nelson: That is correct.

Mark Landis, Burleigh County Veterans Service Officer

Testimony in support of SB 2195 - Attached # 3.

Senator Dever: Could you just tell us the qualifications for a dependent to be buried in the cemetery as well.

Mark Landis: The dependents are allowed to be buried there. The children prior to majority age are also.

Brigadier General Robert Becklund, Deputy Adjutant General, North Dakota National Guard:

Testimony in support of SB 2195 - Attached # 4.

Chairman Holmberg: That is some new information regarding the federal cemeteries.

Senator Hogue: Honor guard folks – do dependents have that honor guard and do those folks go on state active duty or is that part of their job allocation? What is their status when they do that?

Brigadier Becklund: The dependents don't get honor guard unless they were a member of the military themselves. As far as the National Guard goes, we have a team. Honor guard is an army team. Those are done on inactive duty training time.

Senator Mathern: I have a question regarding the refund. Are there people who would like to pay this? I am wondering why you wouldn't permit it or maybe even direct it to the non-profit organization. Some families might actually like to pay this. I am wondering why it would be an automatic refund.

Brigadier Becklund: I think this is the fiscally responsible policy right now. We do have a viable foundation set up for the cemetery. We do accept donations and many families do contribute even though their burials are paid for, even for the member. Following the internment ceremonies there are many cards with cash money donations. I would suspect that most people would donate their prepaid funds. However, having a policy like this is nice just in case they don't.

Senator Robinson: You mentioned the foundation. What is the asset base in foundation? You are doing internments year round, correct?

Brigadier Becklund: The foundation has been set up since the cemetery was founded. It has been fundraising ever since. We have about \$7M. The foundation is contributing to the maintenance of the cemetery. The internments are year round. We had a record year. There was about 70 in one month which was the high. The average is 40-50 a month.

Senator Robinson: How many internments have we had?

Brigadier Becklund: We have had about 8000.

Senator Dever: I was curious about the designation of the National Cemetery for Fargo and Standing Rock. The one south of Mandan is a State cemetery that receives federal dollars but operates under the requirements of the federal government because of those dollars regarding dependents and other things, correct?

Brigadier Becklund: It's a state cemetery, but we get grant funding from the federal government. At the end of the day it is a State cemetery. The ones in Fargo and Standing

Rock are federal cemeteries. That is why the spouses there would be buried at federal expense.

Senator Dever: If this had that designation, this wouldn't be an issue.

Brigadier Becklund: That is correct. The cemetery at Fargo will be much smaller than the one we have here. I am not sure about the one at Standing Rock. We do not see much of an issue there as far as competition other than equity. Many people might want their veteran buried close to where they live.

Senator Dever: It's beautiful. It almost makes me look forward to it.

Chairman Holmberg: Closed the hearing on SB 2195.

Senator Mathern: Moved a Do Pass on SB 2195.

Senator Robinson: Seconded the motion.

A Roll Call Vote was taken: Yes: 13 No: 0 Absent: 1.

Motion Carried.

The bill goes back to the GVA committee and Senator Marcellais will carry the bill.

Date: 2-8-2019

Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2195**

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar

Other Actions: Reconsider _____

Motion Made By Mather Seconded By Robinson

Senators	Yes	No	Senators	Yes	No
Senator Holmberg	X		Senator Mather	X	
Senator Krebsbach	X		Senator Grabinger	X	
Senator Wanzek	X		Senator Robinson	X	
Senator Erbele	X				
Senator Poolman	X				
Senator Bekkedahl	X				
Senator G. Lee	A				
Senator Dever	X				
Senator Sorvaag	X				
Senator Oehlke	X				
Senator Hogue	X				

Total (Yes) 13 No 0

Absent 1

Floor Assignment GVA Marcellais

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

REPORT OF STANDING COMMITTEE

SB 2195, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed SB 2195 was placed on the Eleventh order on the calendar.

2019 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2195

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union Room, State Capitol

SB 2195
3/1/2019
33049

- Subcommittee
 Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery

Minutes:

Attachments 1-7

Chairman Kasper opened the hearing on SB 2195.

Senator Richard Marcellais appeared in support. Attachment 1. (1:00-2:32)

Vice Chair Steiner: What is the definition of eligible dependent?

Senator Marcellais: I was told it was any disabled child that lives with the parents up until their death.

Rep. Rohr: Up to this point, it has been out of pocket expense?

Senator Marcellais: I understand they do have funding that has already been deposited for procedural burials.

Rep. Rohr: Is there another fund that would be paying for this? Which fund is it?

Senator Marcellais: They do have a fund separate from what has been paid already. I have heard they have \$7 million in that fund. I don't think \$550 is too bad.

Rep. Rohr: This is an appropriation of the \$250,000 coming out of the state budget?

Chairman Kasper: It is the general fund.

Senator Marcellais: It would be a fund that they wouldn't have any more if they didn't pay the \$550. It would be waived. The Adjutant General's Office could probably answer some of those questions about their budget. In the hearing in appropriations, they mentioned there was \$7 million in the cemetery fund.

Rep. Schauer: Can you explain the impact that a spouse has on a veteran.

Senator Marcellais: When I was in Vietnam for a year, I can imagine what my wife was going through. It was mentioned at the hearing in the senate that you never see the spouse in these parades. It is always the veteran. I feel that it is time for us to recognize our spouses.

Mr. Jim Nelson, Legislative Director for ND Veterans' Legislative Council, appeared. Attachment 2. (6:15-9:00)

Rep. Karls: Has any thought been given to the spouse who already has paid the \$550?

Mr. Nelson: I don't have that answer, but someone else here does.

Mark Landis, Burleigh County Veterans' Service Officer, appeared in support. Attachment 3. (9:51-11:44)

Neutral

Brigadier General Robert Becklund, Deputy Adjutant General for the ND National Guard, appeared in a neutral position. Attachment 4. (12:10-15:16)

Rep. Laning: Senator Marcellais referenced a \$7 million fund. That would not be for these burial expenses? The additional funding of \$250,000 is what you are looking for to cover these burial expenses?

General Becklund: The ND national guard cemetery foundation was created about the same time the cemetery was created, and it has been raising money right along to provide for the operations of the cemetery. This is quite independent of that. This is your general fund monies that would be added into the Office of the Adjutant General's general funds accounts for the sole purpose of covering the burials for the spouses.

Rep. B. Koppelman: Is the burial fee for the veteran currently paid by a general fund appropriation or by other foundation earnings?

General Becklund: The current \$550 is paid by the families. Those are private funds that come in and paid directly to the cemetery to cover that.

Rep. B. Koppelman: I believe we do not charge for the veterans to be buried, only for the spouses. I am talking about the part we already pay for.

General Becklund: The general fund.

Rep. B. Koppelman: If the salaries of those individuals involved with the burials are currently paid by the general fund, presumably they are somewhat subsidized by the \$550 that is currently being paid on behalf of the spouses. Is this really the magic number?

General Becklund: This bill adds \$250,000 to this next biennium. The \$550 was our best estimate at a cost to actually do a burial. When the cemetery first started, I think it was \$200.

Later it went to \$300. Now it is up to \$550. We would expect that the cost would go up over time.

Rep. B. Koppelman: Do you have any data showing how many total individuals are in the cemetery, veterans versus spouses, and what is the budget to do that?

General Becklund: I will have to get back to you on that. It had been asked if this was retroactive. This is not intended to be retroactive.

Attachment 5 was handed out by the law intern.

Chairman Kasper: How many veterans have been buried the last three or four years? How many spouses have been buried in that same period of time? Is this actual cost? Do you have full time employees who are part of the burial committee that digs the graves, etc.?

General Becklund: We have (five?) full-time people there. There are some temps too. In Senator Marcellais' original bill, it was \$160,000. It was based upon previous years' estimates and special funds coming in from private citizens.

Chairman Kasper: How do you come up with those estimates.

General Becklund: It is from our budget analyst and our executive director of the cemetery. We will get those to you.

Rep. Schauer: Has there been any discussions to partner with the ND guard foundation on this?

General Becklund: The ND guard foundation has contributed already to the operations and maintenance of the foundation for equipment purchases. They have not funded burials.

Chairman Kasper closed the hearing.

Chairman Kasper: We are going to wait until we get some data.

Rep. Louser: We had this bill four years ago. He gave the statistics on what happened. It is going to be crucial to have the information to present to appropriations assuming we pass it. (23:00-23:37)

Rep. B. Koppelman: The law intern handed out a copy of the appropriation bill. Attachment 6. The line item for the veterans' cemetery with \$881,000 for the base line, and it is proposed at \$972,000.

Chairman Kasper: I would assume that budget is for the maintenance of the cemetery. Is that correct?

General Becklund: It is the salaries for the personnel that work there.

Chairman Kasper: You have two sources of funds—general fund for that plus \$7 million is also subsidizing?

General Becklund: The effort is to grow that fund to provide continuous support there, but we are not quite there yet. We did receive request of the cemetery for funding for the sprinkler system, because that was important last year, and we did provide funds there.

Chairman Kasper: You should give us information about that foundation and some data on where you have been spending the money in the last two or three years.

Attachment 7 was emailed to the committee a little later in the day.

2019 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union Room, State Capitol

SB 2195
3/15/2019
33820

- Subcommittee
 Conference Committee

Committee Clerk: Carmen Hart

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery

Minutes:

Attachment 1

Chairman Kasper opened the meeting on 2195.

Rep. B. Koppelman: Where is the priority list for the state for what we do for veterans? Was this on that list, or is there \$250,000 we should be spending somewhere else for veterans? That was the struggle I was having on this one.

Vice Chair Steiner: I thought the money was coming out of a trust fund that they had built up to \$7 million.

Rep. B. Koppelman: We were going to look at the copy of the appropriations bill that was handed out at the hearing. The veterans' cemetery is already proposing to get another \$91,000 which is more than a 10% increase in their appropriation. I wonder if some of this could be funded that way or not.

Chairman Kasper: Attachment 1 was handed out. (5:12-6:18) How many spouses were they estimating were going to be buried?

Rep. Laning: 163. It ranges from 130 to 205.

Chairman Kasper: 150 at \$550 is about ...

Rep. Laning: \$82,500.

Chairman Kasper: They are wanting \$250,000.

Rep. Rohr: We have to remember it is dependents as well.

Rep. Schauer: I don't know how we can't support it. I would have liked the cemetery people to come with some private funds or the foundation people alongside and make it a match. **I make a motion for a DO PASS and rerefer to appropriations.**

Rep. Hoverson seconded the motion.

Chairman Kasper: I suspect the \$250,000 might change when I get down to appropriations. Let them make the decision.

Rep. B. Koppelman: I think I am going to vote no. I think the amount is too much. I would be more comfortable if it was a smaller amount.

Chairman Kasper: What number could you support?

Rep. B. Koppelman: Around \$100,000.

Rep. Laning: They had 205 dependents during the year 2018. If you took that x \$550, you would come up with \$112,000 some odd dollars. \$100,000 may be on the light side.

Rep. Schauer and Rep. Hoverson withdrew their motion and second.

Chairman Kasper: Rep. Koppelman is thinking around \$125,000 for an amendment.

Rep. Schneider: Does that cover the biennium? Don't we have to double that?

Chairman Kasper: Yes, that's right.

Rep. Vetter: I would be down for \$125,000.

Rep. B. Koppelman: When you look at the testimony received, the bill started out with \$160,000 based on historical projections. They have had more in the last couple years. If we approved it at \$125,000, I think you would find they would make due and figure out where those static costs were and wouldn't be them running in the red. **I make the motion to amend the amount to \$125,000.**

Rep. Vetter seconded the motion.

Rep. Hoverson: It seems like we squished them right down to the absolute as if we know what the projections are, and we don't. I would think they would know better, so would you consider going up higher? If not, I am good with it too.

Rep. B. Koppelman: Some things to take into account is that they do have a foundation for the cemetery. They have paid out some money, but they are also letting some of the money build. There is also some sort of a trust fund that some of the funding comes from. I believe they should have proposed this with their budget. Being it is an add on, I want to err on the conservative side of things.

Rep. Laning: This is a biennial budget, and the numbers we are talking about with burials are annual. The numbers for the last four years are 190, 188, 191, and 205. You probably have to figure 400 people dying in two years.

Rep. B. Koppelman: According to General Becklund's testimony, the actual amount collected for the 15-17 biennium was \$166,000. The 17-19 biennium they are projecting \$196,000.

Rep. Schauer: I support Rep. Koppelman on this. To raise money for the burial of spouses is about as easy as it gets. For the cemetery foundation to come up with this extra money is not going to be difficult to do.

Rep. P. Anderson: I am going to resist the motion. I think the powerful appropriations can lower the burial cost and put the blame on them.

Rep. Schneider: I am for the easy and feel good way on this one too.

Voice vote. Motion carries.

Rep. Vetter made a motion for a DO PASS AS AMENDED and rerefer to appropriations.

Rep. Schauer seconded the motion.

Rep. Laning: Should the cemetery need it, there is nothing in this bill that prevents them from continuing to charge some amount is there?

Chairman Kasper: No.

Rep. B. Koppelman: That is a good point. I think as it was presented to us, this was supposed to end the charging for spouses. It may be prudent for us to add something to the bill that says here is an appropriation for this purpose and some sort of language that says for the veteran, the spouse, and dependent child provided at no cost.

Chairman Kasper: I don't think we want to go that far.

Rep. B. Koppelman: What happens if they continue to charge \$550 for all spouses and children? What is the point of putting this money in then?

Chairman Kasper: No. The bill says paying the costs of interring veterans' spouses and dependents who are eligible. It doesn't say any other costs.

Rep. B. Koppelman: Is the way this is worded then going to stop them for charging spouses?

Chairman Kasper: It is not going to stop them. It could certainly soften the charge. If the average charge is \$500 and we are giving 60% of the cost here, then they can choose what to do with the rest of it. Think about it. It is pretty cheap cost compared to what the average family would pay when there is a death.

House Government and Veterans Affairs Committee
SB 2195
3/15/19
Page 4

A roll call vote was taken. 12-0, 2 absent.

Rep. Schauer will carry the bill.

19.0933.02001
Title.03000

Adopted by the House Government and
Veterans Affairs Committee
March 15, 2019

De 3/15/19

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2195

Page 1, line 5, replace "\$250,000" with "\$125,000"

Renumber accordingly

Date: 3-15-19
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2195**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep Schauer Seconded By Rep. Hoverson

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson					
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Withdrawn motions

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 3-15-19
 Roll Call Vote #: 2

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2195**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: Rep. B. Koppelman's Suggestion See below

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. B. Koppelman Seconded By Rep. Vetter

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper			Rep. Pamela Anderson		
Vice Chair Vicky Steiner			Rep. Mary Schneider		
Rep. Jeff Hoverson			<i>Voice Vote Motion Carries</i>		
Rep. Craig Johnson					
Rep. Daniel Johnston					
Rep. Karen Karls					
Rep. Ben Koppelman					
Rep. Vernon Laning					
Rep. Scott Louser					
Rep. Karen Rohr					
Rep. Austen Schauer					
Rep. Steve Vetter					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Line 5 Replace \$250,000 with \$125,000

Date: 3-15-19
 Roll Call Vote #: 3

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2195**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep Vetter Seconded By Rep Schauer

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Pamela Anderson	X	
Vice Chair Vicky Steiner	A		Rep. Mary Schneider	X	
Rep. Jeff Hoverson	X				
Rep. Craig Johnson	X				
Rep. Daniel Johnston	X				
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	A				
Rep. Karen Rohr	X				
Rep. Austen Schauer	X				
Rep. Steve Vetter	X				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep Schauer

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

REPORT OF STANDING COMMITTEE

SB 2195, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2195 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$250,000" with "\$125,000"

Renumber accordingly

2019 HOUSE APPROPRIATIONS

SB 2195

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2195
3/19/2019
33972

- Subcommittee
 Conference Committee

Committee Clerk: Risa Bergquist by Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery.

Minutes:

4:30 Chairman Delzer: Called the meeting to order for SB 2195. Representative Kasper is here to present the bill.

Representative Kasper: This is an appropriation to fund the burial of spouses in the veterans' cemetery. It came to the committee with an appropriation of 250,000 from the Senate and as we got it in front of our committee we reduced it down by 50% and there are other sources of funds. There will also be other general expenses, but we wanted to focus on the expenses for the spouses.

Representative Bellew: Did they tell you how much it would cost per spouse? And how many this would cover?

Representative Kasper: They did, they figured the cost of 550 dollars per burial per spouse, and they gave us a chart that showed the number of spouses that had passed away dating back to 2010 which was at 125 in 2015 and it was up to 191 in 2015 and at 205 at 2018. That was there estimate.

Chairman Delzer: Did you ask them what they charge right now? And will they continue to charge or would this take care of the whole charge?

Representative Kasper: I don't know if it will take care of the whole charge because we don't know how many will pass away in the next year or 2. They do charge right now and I think it was \$550 per spouse. They have burial fees that vary from 0-762 dollars at the state veteran's cemetery. Generally speaking, a private cemetery in ND charges in excess of the \$550, and their fee is set at this number.

Chairman Delzer: So this is supposed to replace that charge?

Representative Kasper: All or part of it.

Chairman Delzer: Do you remember how many times we have heard this before?

Representative Kasper: It has been more than once.

Representative Brandenburg: The veteran's cemetery is supposed to be a place for vets, but if the family member wants to be there, it is a privilege and I don't think we should be paying for this. They should have to be paying for it. I would struggle with this because for me this is sacred ground for the vets, and if the family members want to be there they should have to pay a cost for it.

Representative Kasper: The committee struggled with the number, currently there is \$14,900 prepaid fees for future burials of spouses already there. There is a \$7million memorial fund for the entire cemetery foundation. We felt there are other sources to cover those other expenses.

Chairman Delzer: Representative Vigessaa or Representative Brandenburg, have you guys had the discussion on how much we have in the budget for the veteran's cemetery?

Representative Vigessaa: We have had this discussion on this bill, and this is what we talked about as well.

Chairman Delzer: How much are we currently contributing in the budget?

Representative Brandenburg: I think that it is somewhere around 5-600,000.

Representative Nathe: I know that they run the veteran's cemetery closely to how they run the VA (veteran's affairs) cemetery, was there any mention as to what the VA does? Does the VA pay for spouses?

Representative Kasper: No that never came up.

Representative Nathe: I know we had this bill last session and we killed it. I can tell you, \$550 for an opening and closing of a grave is pretty cheap. In Bismarck it is somewhere between 800-1000. That is regardless of if it's a casket or an urn, they charge the same amount.

Brady Larson, Legislative Council: In the current version of this bill we have \$972,000.

Chairman Delzer: Can you look at what we had last time?

Mr. Larson: Yes.

Representative Beadle: Last biennium the budget was \$881,284 for the Veterans cemetery.

Chairman Delzer: Anything further to add?

Representative Kasper: No that was it.

Meeting closed.

2019 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2195
3/19/2019
33982

- Subcommittee
 Conference Committee

Committee Clerk: Risa Bergquist by Caitlin Fleck

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide and appropriation for veteran's spouses and dependents burial fees at the veteran's cemetery.

Minutes:

Chairman Delzer: Opened hearing.

Representative Bellew: Motion for a Do Not pass.

Representative Nathe: Second.

Representative Monson: Is there a separate 250,000 that is already going on or is every time?

Chairman Delzer: No, this is new, we have never done this before. This is a new section. It would sunset at the end of 2 years, and they would have to come back in and ask for it again.

Representative J. Nelson: One thing that I was unclear about, 125,000, if the numbers were correct there's 400 people that have been buried out there. The appropriation wouldn't cover the entire number of people that are buried there. Is it a come first, first served? So you could have a situation where somebody is wealthy enough to afford being buried out there but because it is available they would qualify? But then somebody that is less wealthy would not?

Chairman Delzer: I think it would be up to the adjutant general to decide how they would handle that. I can't imagine you would ever wait until you were done, I would imagine it would be free until they run out of money and then they would start charging. You can't wait until the end of the 2 years and the prorate it.

Representative Nelson: So it would be to your benefit to die early.

Representative Vigesaa: They take the 250,000 and divide it by 550, which would be about 454 burials over a biennium. This would cover about 200 and some per year. So I think the

original request of 250,000 would have covered everybody. There are funds in the veteran's cemetery fund and they probably would have just covered it.

Representative Beadle: The bill was originally introduced in the Senate with 160,000 and the Senate committee is what upped it to 250,000.

Chairman Delzer: Further discussion?

Representative Boe: I would think that the 550 dollars isn't enough to cover those expenses. I think this is a sign of the upcoming influx of more burials in the future as we go on for the next decade or so.

Representative Nathe: We cover this now I know it'll be way more expensive in the future when we subsidize it. More people are choosing to be buried at the veteran's cemetery because it is more expensive to buy a lot on a private cemetery. It is expensive to pay for that opening and closing or 800-1000 dollars. It is twice as much for a head stone. These numbers will keep going up significantly down the road. If we pass this, I guarantee within a couple of sessions this is going to be much higher.

Chairman Delzer: I certainly think that we have no problem respecting the veteran's but I'm not sure we should go to the point of subsidizing a spousal burial.

A Roll Call vote was taken. Yea: 19 Nay: 2 Absent: 0. Motion passes.

Floor assignment: **Representative Bellew**

Meeting closed.

Date: 3/19/2019
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2195**

House Appropriations Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Representative Bellew Seconded By Representative Nathe

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X				
Representative Anderson	X		Representative Schobinger	X	
Representative Beadle	X		Representative Vigesaa	X	
Representative Bellew	X				
Representative Brandenburg	X				
Representative Howe	X		Representative Boe		X
Representative Kreidt	X		Representative Holman	X	
Representative Martinson	X		Representative Mock		X
Representative Meier	X				
Representative Monson	X				
Representative Nathe	X				
Representative J. Nelson	X				
Representative Sanford	X				
Representative Schatz	X				
Representative Schmidt	X				

Total (Yes) 19 No 2

Absent 0

Floor Assignment Representative Bellew

Motion Carries

REPORT OF STANDING COMMITTEE

SB 2195, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends **DO NOT PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2195, as amended, was placed on the Fourteenth order on the calendar.

2019 CONFERENCE COMMITTEE

SB 2195

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB2195
4/11/2019
#34678

Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery.

Minutes:

Att # 1 – Al Dohrmann

Present: **Sen. Vedaa (chair), Sen. Elkin, Sen. Marcellais**
Rep. Schauer (chair), Rep. Karls, Rep. Johnston

Sen. Vedaa: I recall in the hearing, that the original money was lower, so we raised it. We were told the original money would not be enough. Does the House have anything to add?

Sen. Richard Marcellais: The initial bill I introduced was \$160,000. You make a motion to amend it to \$250,000. (1.34)

Rep. Schauer: How did you come up with \$160,000?

Sen. Richard Marcellais: I introduced this last session, and that is what the cost was at that time.

Sen. Vedaa: We will call someone up to explain.

Al Dohrmann, Major General, National Guard: (2.48) (see att # 1) The cemetery falls under me. We projected a cost of \$211,000. The time line is going up. One chamber looked at the past nine years. That average came to \$160,000. The spouses had to track with the vets to some extent. We feel our numbers will go up as Korean vets pass and then the Vietnam vets are next. We may have a lull in between war conflicts, I guess.

Rep. Karls: This is a two-year appropriation. If we pass the bill with the \$125,000 as House amended, your department will have to come up with the rest of the money? Or will you prorate it?

Al: At this amount, I project I will be in front of the emergency commission within the first quarter of the biennium. The bill right now, would require me to pay and we would have to

find that money somewhere. The law requires that we pay. The adjutant general's office is responsible.

Rep. Schauer: Who has paid this in the past? Has it been from the families? Are there any public dollars or from your budget?

AI: I have heard people comment that the workers are already there, so why can't you just do more burials. This is the budgeting process, and we set a fee of \$550 fee for eligible dependents and spouses. We worked that into our budget. If that revenue source is not coming in, then we need another source of revenue to cover it. The fee has covered the cost. The fee is part of our base budget. (6.37)

Rep. Schauer: This is a onetime \$125,000 allocation to you and your budget. What happens if this is not renewed in two years and what happens to those who pre-paid? (7.00)

AI: We are struggling what to do with pre-paid. We would at least make them aware that this is available in the next biennium. If you want us to refund, we will do that. There is a foundation that is for the veterans' cemetery. (7.43) The legislature can't appropriate money from that foundation. The foundation already has committed \$350,000 for us in the coming biennium. That is part of our budget forecast. The governor had \$127,000 in their budget for cemetery. I think now the package will be \$125,000 in general funds for the next biennium to support the cemetery. This is a program that you don't start and then stop. You have a moral obligation to keep this going once started. You may want to change the word 'pay' to 'defray' in the bill. That is a suggestion. It may mean a decrease in fee for burial, which is now \$550. From a policy perspective, if we brought this fee to \$200, I bet in three years we would have it back to \$550. (11.13)

Sen. Veda: Sounds like you expect the burial numbers to increase in the next two years. Could this be addressed in the next biennium? Could those numbers go down?

AI: Generally, the trend lines go up. That will continue with Vietnam people. Could there be a decline in 10-15 years when you have a war gap. Maybe, but there is global war on terrorism that has come of age. Those numbers steadily increase. (12.52)

Sen. Richard Marcellais: Do you get any federal money for the cemetery? (13.17)

AI: Yes. There are federal grants that covered some construction in the past through the Veterans' Affairs. We get \$750 from federal VA for burial of vets.

Sen. Richard Marcellais: I am concerned because we have two federal cemeteries coming to N.D. and spouses don't have to pay anything. I think that will hurt the cemetery in Mandan. We have a beautiful cemetery in Mandan, don't get me wrong. I am planning on being buried in Mandan cemetery. Cost does not matter to me, but I know there are vets out there that cost does matter. (14.34)

AI: Totally agree. This was not in our budget nor the governor's budget recommendation. We did research this time and found that more and more state cemeteries are covering the cost of dependents and spouses. From a policy stand point, if this bill passes, I have to have a

discussion with OMB and the governor next session to get it in the base budget. The discussion will have to include the nationwide trend of covering the cost of spouses and dependents. (15.30)

Rep. Schauer: We understand the need for burial for spouses. But this is one-time allocation. If we kick it up more than \$125,000, we run the risk of it not passing in the House. Also, we need this in your base budget for continuing appropriation. (16.12) How do we do that strategically? We have to look at this long term and this is the dilemma.

Sen. Richard Marcellais: Why don't we just wave it and not consider the money. How's that?

AI: We learned lots through the process this session. I did not know the federal government was waving the cost and this is a movement.

Rep. Schauer: I do like defraying the cost language. That helps in the process. I want to at least get the \$125,000 through the House.

Sen. Vedaa: I like this bill. I would hate to tell a family that we did not have the money to bury their spouse. I am holding firm at the \$250,000. (18.24)

Rep. Johnston: My concern is that spouses have to go through lots when their spouse serves in the military. I do want to send something back to the House that will pass. We funded a cactus green house for crying out loud. What is that priority? This is a priority. I would be in favor of defraying the cost. (19.09)

Sen. Vedaa: If this was \$1.25 million I would have heart burn, but this is \$125,000 and veterans' spouses. I think we need to be at \$250,000.

Rep. Schauer: Do you think that amount will fly in the House?

Sen. Vedaa: Probably not.

Rep. Schauer: That is why we are here.

Rep. Johnston: To clarify, everything flies on your side.

Sen. Vedaa: Let's think about this and meet again. Adjourned. (20.14)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB2195
4/15/2019
#34751

- Subcommittee
 Conference Committee

Committee Clerk: Pam Dever

Explanation or reason for introduction of bill/resolution:

To provide an appropriation for veterans' spouses and dependents burial fees at the veterans' cemetery.

Minutes:

Att # 1 – Sen Vedaa

PRESENT: **Sen. Vedaa (chair), Sen. Elkin, Sen. Marcellais**
Rep. Schauer (chair), Rep. Karls,
Rep. Johnston – Absent

Sen Vedaa: Open conference committee on SB2195. Take attendance. All present except Rep. Johnston. I have an amendment I passed out. (see att # 1) I talked to the committee chair of the House last week on this.

Rep. Schauer: The house is touch and go compared to the Senate. I visited with Rep. Delzer and Rep. Pollert. We are comfortable with the \$125,000 and with the 'defraying' language. There could be an issue down the road with the \$250,000 two years from now because that money would be part of the adjutant general's budget. Will the appropriation add \$200,000 on to that budget? I know we need to take care of now. If we kick it up to \$220 which this amendment proposes, would that go through on the House side. I would say, no. (2.41) I don't want to have nothing because this is a good bill. We have to be strategic and honest and come up with a number for the House.

Rep. Karls: I agree with Rep. Schauer. (3.09) \$220,000 would be hard to get through the House. We are going from paying to defraying, we are offering a discount on burials until we know in two years what are finances will be.

Sen. Elkin: What number works for the House?

Rep. Schauer: \$150,000. We can go for more, but how much risk do you want to put into it. We are guaranteed at \$150,000.

Sen. Vedaa: I will ask Sen. Dever to come up. What is your opinion?

Sen. Dever, Dist. 32, Bismarck: Another option is you can delay the effective date. \$150,000 is 2/3's of \$225,000. You could apply it for 16 months. Going into the next session, continue that. (4.56)

Sen. Vedaa: I would like to try \$175,000. Us coming down from our \$250 K to \$175 K. You guys could come up \$50 K. Should I have Hugh make the amendment?

Rep. Schauer: I want this as clean as possible. I don't know if 16 months is clean or is confusing. I don't know. Is this something that has been done?

Sen. Dever: We do that all the time. (6.08) If you decide to do \$175 K or \$225 K, you take it to the floor. You just kill the conference committee report not the bill. You come back and get a different number.

Rep. Schauer: We don't want to kill the bill. I feel we need to make a decision. (7.08) How would the effective date work? \$175 K with 16 months or \$150 to 16 months?

Sen. Dever: If you don't delay it, it is effective from July 1, 2019 to July 1, 2021. If you delay it 2/3's, say the \$150, you would be effective March 1, 2020 through June 30, 2021.

Rep. Scheuer: Would that help two years from now as far as budgeting.

Sen. Dever: Two years from now we would consider what it would cost to continue for 24 months.

Rep. Schauer: Ultimately we want it in the adjutant general budget. We don't want a onetime allocation. We don't want to hurt his budget, either. (8.40)

Sen. Dever: Everybody in this room like this bill.

Sen. Elkin: Maybe Rep. Schauer can come in again with different number next time. Should we play again?

Rep. Karls: I would like to settle this today. Let's work on the Vedaa amendment. Put in \$175 K instead of \$220 K and add an effective date. Leave in 'defraying'.

Sen. Richard Marcellais: I agree with the \$175 K and an effective date. It will give us an opportunity to see how effective it will be 16 months and you will have an idea budget wise what it will take next session. (10.52)

Rep. Karls: I move the amendment and House recede from amendments and further amend.

Sen. Richard Marcellais: I second.

Sen. Vedaa: Discussion? Take roll: **YES -- 5 NO -- 0 -1- absent.**

Sen. Vedaa will carry the bill. Rep. Schauer will carry the bill.

Done (13.33)

April 15, 2019

CAZ
101
411

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2195

That the House recede from its amendments as printed on page 1162 of the Senate Journal and pages 1206 and 1207 of the House Journal and that Engrossed Senate Bill No. 2195 be amended as follows:

Page 1, line 2, after "cemetery" insert ", and to provide an effective date"

Page 1, line 5, replace "\$250,000" with "\$175,000"

Page 1, line 6, replace "paying" with "defraying"

Page 1, line 8, replace "biennium" with "period"

Page 1, line 8, replace "July 1, 2019" with "with the effective date of this Act"

Page 1, after line 8, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective March 1, 2020."

Renumber accordingly

Insert LC: 19.0933.02003
Senate Carrier: Vedaa
House Carrier: Schauer

REPORT OF CONFERENCE COMMITTEE

SB 2195, as engrossed: Your conference committee (Sens. Vedaa, Elkin, Marcellais and Reps. Schauer, Karls, Johnston) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1162, adopt amendments as follows, and place SB 2195 on the Seventh order:

That the House recede from its amendments as printed on page 1162 of the Senate Journal and pages 1206 and 1207 of the House Journal and that Engrossed Senate Bill No. 2195 be amended as follows:

Page 1, line 2, after "cemetery" insert ", and to provide an effective date"

Page 1, line 5, replace "\$250,000" with "\$175,000"

Page 1, line 6, replace "paying" with "defraying"

Page 1, line 8, replace "biennium" with "period"

Page 1, line 8, replace "July 1, 2019" with "with the effective date of this Act"

Page 1, after line 8, insert:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective March 1, 2020."

Re-number accordingly

Engrossed SB 2195 was placed on the Seventh order of business on the calendar.

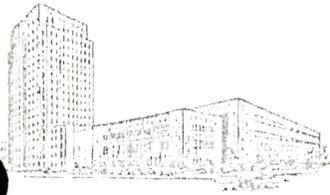
2019 TESTIMONY

SB 2195

SB 2195
1-18-19
A H A I
R G
STATE OF NORTH DAKOTA

NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



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COMMITTEES:
Education
Government and Veterans Affairs

Testimony

Senate Bill No. 2195

Government and Veterans Affairs Committee

Senator K. Davison, Chairman

January 18, 2019

Chairman Davison, members of the Government Veteran Affairs Committee, for the record my name is Richard Marcellais, Senator from District 9, of Belcourt I am here today to provide testimony on Senate Bill 2195.

Senate Bill 2195 would allow for the spouse or eligible dependents burial fees of \$550.00 to be waved.

The North Dakota Veterans Cemetery was established by an act of the 2989 Legislative Assembly and is operated by the Office of the Adjutant General of North Dakota.

Any Veteran wartime or peacetime service is eligible for burial in the North Dakota Veterans Cemetery. Present and past National Guard members and present and past Army, Air Force, Navy, Marine Corps and Coast Guard Reserve Forces.

There is no cost to the Veteran for burial. If a spouse or eligible dependent is buried the fee is \$550.

In honor of all those who have served & especially to those Veterans who have protected our countries freedoms, may they rest in peace.

I believe that our North Dakota Veterans spouses and dependents are entitled to have their burial fees of \$550 should be waved.

Thank You very much for the opportunity to appear in support of Senate Bill 2195. If there are any questions I will try and answer them.

Jim Nelson

SB 2195
1-18-19
AH #2
pg

SB—2195 opening a grave for a spouse and eligible dependents NDVC

I was the chaplain for the Bismarck AMVETS for a few years and served as the Chaplain for the North Dakota Department of AMVETS. During my tenure as Chaplain I attend many burials at the Veterans Cemetery and others around the Bismarck Mandan area.

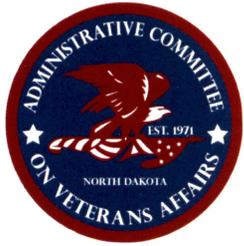
I saw caskets and burial urns that would be the envy of anyone, and burial urns and caskets that broke my heart. I will give a few examples. In most instances the caskets are general relatively modest, the enviable ones are some not that common. Once in a while you will see some that speak volumes to the financial status of the deceased and his or her family. I will never forget the first time I saw a cardboard casket. It was painfully obvious that this family this was all they could afford. When it comes to cremation urns, I have seen brown paper bags, a coffee can, numerous urns given by the funeral home, one in particular, had a photo copied picture of the loved one tape to the container. While there may be other reasons for the use of these containers, the obvious reason to me is they just can't afford any better.

This bill would, along with helping all veterans, would be especially welcomed by those of low income or other hardships. While \$50 may not seem like much to most of us, there are many veterans' families that this help might make the difference between a coffee can and a nice simple urn.

Speaking with Pam at the Cemetery she told me of a situation currently she has. A veteran is buried at the cemetery currently and the spouse passed away in a different state. Family members sent the ashes and death certificate to the Cemetery. Pam notified the family of the fee and they replied they did not have the money and would have time to raise it. That was two months ago. She also informed me that the new National Cemetery in Fargo does it for free.

The Veterans Legislative Council supports this bill

SB 2195
1-18-19
AH 12
pg 2



The Administrative Committee on Veterans Affairs (ACOVA) is responsible for the organization, policy, and general administration of all veterans' affairs in North Dakota. The Administrative Committee is comprised of 15 voting members, each appointed by the Governor, representing the five major patriotic veteran organizations in the state.

Each year, the Governor is to appoint one member from a list of two names submitted by the following North Dakota veteran organizations: American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and Vietnam Veterans of America. The ACOVA is also comprised of three nonvoting members who are to serve in an advisory capacity - the North Dakota Adjutant General, the Center Director of the Federal Veterans Affairs, and the Executive Director of Job Service of North Dakota. The Governor also appoints the ACOVA's Chairman and Secretary.

The ACOVA has several activities they monitor on behalf of the Governor and the state's veterans.

North Dakota Veterans Home:

The ACOVA appoints a seven member governing board for administration of the North Dakota Veterans Home located in Lisbon, ND. It assists in creating the management and not in the day to day management of the Veterans Home.

Post War Trust Fund:

The veterans' postwar trust fund (PWTF) is a permanent trust fund of the state of North Dakota and consists of moneys transferred or credited to the fund under NDCC 37-14-14 and other laws. All income received from investments is to be utilized only for programs of benefit and service to veterans or their dependents, and all income earned in a biennium is appropriated to the (ACOVA) on a continuing basis.

ND Department of Veterans Affairs:

The committee shall appoint the commissioner of the department of veterans' affairs. The commissioner of veterans' affairs shall serve as the executive secretary for the subcommittee. The commissioner has no vote in the affairs of the sub-committee.



*Who We Are
and What We
do for Veterans*



*FIVE ND Patriotic Organizations
31,000 Members Statewide
5,456,000 Members Nationwide*

What is the difference between the NDVLC and the ACOVA? The acronym NDVLC stands for the North Dakota Veterans Legislative Council and is a Non-Governmental Council comprised of the five principal veteran organizations in the state of North Dakota. Their purpose is to discuss and develop a unified consensus on veteran issues. ACOVA stands for the Administrative Committee on Veterans Affairs which is responsible for the organization, policy, and general administration of all veterans' affairs in North Dakota.

The ND Veterans Legislative Council is made up of three members from each of the following five ND Veterans' Patriotic Organizations; The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and the Vietnam Veterans of America.



*ND Veterans of Foreign Wars
7,715 North Dakota Members, 54 Local Posts
1.7 Million Members Nationwide*

The NDVLC was established to bring veterans organizations together in a united effort on behalf of all veterans and dependents. It is meant to provide a practical means through which the Veterans organizations throughout the state may effectively contribute to the betterment of all veterans.

The three major responsibilities of the Legislative Council are to sponsor and monitor legislation that affects veterans and their dependents, monitor all general programs for veterans including hospital benefits, employment programs, social programs and finally to establish a system of public relations for veterans.

No member of the Legislative Council may hold concurrent membership on the Administrative Committee on Veterans Affairs. The three representatives from each Veterans organization shall be the Department



*ND Dept. of the American Legion
15,050 North Dakota Members, 215 Local Posts
2.2 Million Members Nationwide*

Commander, the Department Adjutant, and one other representative. Each member has one vote. The office of president, vice-president, and secretary/treasurer are elected from within these voting members.

The members are volunteers and do not receive salaries for performing their duties as outlined in the organizations by-laws. The third segment of the Council is the Legislative Committee. Two members are appointed from each of the veterans organizations and a committee chairman. They are appointed for two years. They should be from the Bismarck area so they may attend hearings on bills affecting the veterans.

The Legislative Council's main function is drafting, monitoring, and seeking sponsors for veterans legislation. It is not an administrative body. Administration and implementation of veterans laws is the function of the ACOVA.

*SB 2195
1-18-19
Att #2
pg 3*



*ND Disabled American Veterans
5,000 North Dakota Members, 11 Local Chapters
1.2 Million Members Nationwide*



*ND American Veterans
2,800 North Dakota Members, 14 Local Posts
290,000 Members Nationwide*



*ND Vietnam Veterans of America
435 North Dakota Members, 10 Local Chapters
66,000 Members Nationwide*

SO 2195
1-18-19
AH #3
PS?

SENATE BILL 2195

**Testimony before the North Dakota Senate
Government and Veterans Affairs Committee**

By

**Mark Landis
Burleigh County Veterans Service Officer**

Mister Chairman, members of the committee, good morning. My name is Mark Landis. I have been the veterans service officer in Burleigh County for 15 years and currently serve as president of the Professional Veterans Advocates of North Dakota.

I am here to support Senate Bill 2195, which would offset burial fees for eligible non-veteran family members at the North Dakota Veterans Cemetery. Burleigh County has the highest number of veterans at the cemetery.

We often discuss benefits and programs for veterans and military personnel, and rightfully so. I know you are well aware of the sacrifices they make for our country. Family members also make sacrifices, although that fact does not always receive the proper level of recognition.

Spouses and children must often endure long periods of separation from family members deployed to combat zones. They offer strong moral support for the troops while dealing with their own anxiety and increased responsibilities. In that respect they are also integral to our country's war effort.

When a military member returns home, there is often a period of adjustment as roles are reestablished. In many cases, veterans are dealing with permanent disabilities that resulted from military service, but they are not alone. Spouses and children also deal with it, often for a lifetime. It could be physical limitations for the veteran. It could be mental health. Perhaps you know someone who lives with a veteran suffering from post-traumatic stress, and have witnessed the toll it takes on their family.

Providing a burial benefit for family members may be a small thank you compared to their sacrifices, but it would be a significant gesture of good will and recognition of their contributions to our state and nation.

Thank you for the opportunity to testify today.

TESTIMONY OF
BRIGADIER GENERAL ROBERT BECKLUND
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
18 JANUARY 2019
SENATE BILL 2195

SB 2195
1-18-19
att #4
pg 1

Good morning Mr. Chairman, members of the committee, I am Brigadier General Robert Becklund, Deputy Adjutant General for the North Dakota National Guard. I am here today to provide updated and additional on Senate Bill 2195 on behalf of the Office of the Adjutant General.

First, we would like to provide you with some data to help you better estimate the amount of general funds required to off-set the loss of special funding we currently receive for the burial of our veteran's spouses and/or dependents. The \$160,000 amount in the bill was based on historical projections prior to 2015 and will not be enough for us to provide the required burials should this bill pass as written. For example, during the 2015-17 biennium the actual amount was just over \$166,000; and for the 2017-19 biennium the actual amount is projecting to be approximately \$196,650. Based upon this increasing trend of spouse/dependent burials per year at the current rate of \$550 each, we project the amount in the 2019-21 biennium to be closer to \$210,000. And, if we have higher than average burials of spouses and/or dependents, or if rates increase, it is possible that we would not have enough funding under this bill to cover actual costs forcing us to re-role funding from our existing Operations and Maintenance accounts to cover costs of burials.

Also, the authority of this bill expiring on June 30, 2021 presents some concerns. For example, once a program such as this is created it will have to be maintained in order to not break trust with any future veterans who have gained an expectation that the costs associated with the burial of their spouse or dependents will be provided by the state. So, if this bill is passed, funding requirements are anticipated to be included in all Office of the Adjutant General future budget requests.

Additionally, we currently have \$14,900 in prepaid burial fees for the future burials of spouses and/or dependents of some of our veterans. If this bill becomes law we would be prepared to refund the prepaid money received from any of those that pass during the 2019-21 biennium. As this bill covers only the 2019-21 biennium, our intention would be to not refund any other prepaid funds received until future years funding for this program is assured.

Finally, there is a new national Veteran's Cemetery coming to Fargo and the Standing Rock Sioux Tribe has recently received a grant to construct the national All Nations Veterans Cemetery near Fort Yates. As federal rules allow for no-cost burial services for a spouse and dependents of veterans in national cemeteries, this bill would provide the North Dakota Veterans Cemetery with comparable equity to these local national veteran's cemeteries.

Thank you for your time and I would be glad to answer any questions you may have.

/ SB 2195
2-8-2019
pg 1

NORTH DAKOTA SENATE



STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Richard Marcellais

District 9
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COMMITTEES:

Education
Government and Veterans Affairs

Testimony

Senate Bill No. 2195

Senate Appropriation Committee

Senator Holmberg, Chairman

Chairman Holmberg, members of the Senate Appropriation Committee, for the record my name is Richard Marcellais, Senator from District 9, of Rolette County I am here today to provide testimony in support of Senate Bill 2195.

Senate Bill 2195 would allow for the spouse or eligible dependents burial fees of \$550.00 to be waved.

The North Dakota Veterans Cemetery was established by an act of the 1989 Legislative and is operated by the Office of the Adjutant General of North Dakota.

Any Veteran wartime or peacetime service is eligible for burial in the North Dakota Veterans Cemetery. Present and past National Guard members, Army, Air Force, Navy, Marine Corps and Coast Guard Reserve Forces.

There is no cost to the Veteran for burial. If a spouse or eligible dependent is buried the fee is \$550.00.

In honor of all those who have served & especially to those Veterans who have protected our countries freedoms, may they rest in peace.

I believe that our North Dakota Veterans spouses and dependents are entitled to have their burial fees of \$550 should be waived.

Thank You very much for the opportunity to appear in support of Senate Bill 2195, If there are any questions, I will try and answer them.

#2 SB 2195
2-8-2019
PJL

SB—2195 opening a grave for a spouse and eligible dependents NDVC

The sacrifice of our military personnel is acknowledged and appreciated by most Americans. From huge send offs to packed airport terminals upon coming home our veterans are given robust applauds and stand ovations. The exception to this story was those of us who came back from Vietnam. There was no jubilation upon our return.

Most of the time, the military or veteran spouse is left on the sidelines, unrecognized for his or her sacrifice, courage and commitment to the nation. There is no jubilation for them either. Military and veteran spouses are truly the unsung hero, often willingly or unwillingly putting their careers on hold, often to the detriment of their financial wellbeing. While the other spouse is gone often in harms' way. The spouse at home is trying to raise a family, have a career, balance the finances, fix the car, call the plumber being two parents at once yet never complaining. All too often the spouse becomes a caregiver to a disabled veteran, suffering from PTSD, loss of limbs or who is slowly dying from the effects of Agent Orange and other toxins.

We all know that the veteran is interred free of charge in any Federal or State Veteran Cemetery. It is time to honor the spouse whose sacrifice, courage and commitment is no less telling. We have an opportunity to honor the sacrifices, commitments and courage of the spouse who held things together at home. This bill would do just that.

Currently during the 50th Commemoration of the Vietnam War, spouses of Vietnam Veterans are presented a "Blue Star" to commemorate their marriage to a Vietnam Veteran. The accompanying citation states in part "On behalf of a grateful Nation and the Department of Defense we honor your service and sacrifice. Our Nation is forever indebted to you and extends it deepest respect and admirations". Passage if this bill would recognize the sacrifices of these unseen and unsung heroes, The spouse of a military veteran'

The ND Veterans Legislative Council supports this legislation.

3 SB 2195
2-8-2019
AJ!

SENATE BILL 2195

**Testimony before the
North Dakota Senate Appropriations Committee**

By

**Mark Landis
Burleigh County Veterans Service Officer**

Mister Chairman, members of the committee, good morning. My name is Mark Landis. I have been the veterans service officer in Burleigh County for 15 years and currently serve as president of the Professional Veterans Advocates of North Dakota.

I am here to support Senate Bill 2195, which would offset burial fees for eligible non-veteran family members at the North Dakota Veterans Cemetery. Burleigh County has the highest number of veterans at the cemetery. At this time, I would also like to thank Senator Marcellais for bringing this bill forward.

We often discuss benefits and programs for veterans and military personnel, and rightfully so. I know you are well aware of the sacrifices they make for our country. Family members also make sacrifices, although that fact does not always receive the proper level of recognition.

Spouses and children must often endure long periods of separation from family members deployed to combat zones. They offer strong moral support for the troops while dealing with their own anxiety and increased responsibilities. In that respect they are also integral to our country's war effort.

When a military member returns home, there is often a period of adjustment as roles are reestablished. In many cases, veterans are dealing with permanent disabilities that resulted from military service, but they are not alone. Spouses and children also deal with it, often for a lifetime. It could be physical limitations for the veteran. It could be mental health. Perhaps you know someone who lives with a veteran suffering from post-traumatic stress, and have witnessed the toll it takes on their family.

Providing a burial benefit for family members may be a small thank you compared to their sacrifices, but it would be a significant gesture of good will and recognition of their contributions to our state and nation.

Thank you for the opportunity to testify today.

February 8, 2019

#4 SB 2195
2-8-2019
pg 1

TESTIMONY OF
BRIGADIER GENERAL ROBERT BECKLUND
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE APPROPRIATIONS COMMITTEE
8 FEBRUARY 2019
SENATE BILL 2195

Good morning Mr. Chairman, members of the committee, I am Brigadier General Robert Becklund, Deputy Adjutant General for the North Dakota National Guard. I am here today to provide updated and additional information on Senate Bill 2195 on behalf of the Office of the Adjutant General.

First, we would like to provide you with some data to help you better estimate the amount of general funds required to off-set the loss of the special funding we currently receive for the burial of our veteran's spouses and/or dependents. The original \$160,000 amount in the bill was based on historical projections prior to 2015 and would not have been enough for us to provide the required burials should this bill pass as written. For example, during the 2015-17 biennium the actual amount was just over \$166,000; and for the 2017-19 biennium the actual amount is projecting to be approximately \$196,650. Based upon this increasing trend of spouse/dependent burials per year at the current rate of \$550 each, we project the amount in the 2019-21 biennium to be closer to \$210,000. And, if we have higher than average burials of spouses and/or dependents, or if rates increase, it is possible that we would not have enough funding under this bill to cover actual costs forcing us to re-role funding from our existing Operations and Maintenance accounts to cover costs of burials. We are comfortable with the \$250,000 now proposed.

Also, the authority of this bill expiring on June 30, 2021 presents some concerns. For example, once a program such as this is created it will have to be maintained in order to not break trust with any future veterans who have gained an expectation that the costs associated with the burial of their spouse or dependents will be provided. So, if this bill is passed, funding requirements are anticipated to be included in all Office of the Adjutant General future budget requests.

Additionally, we currently have \$14,900 in prepaid fees for the future burials of spouses and/or dependents of some of our veterans. If this bill becomes law we would be prepared to refund any prepaid money received from those that pass during the 2019-21 biennium. As this bill covers only the 2019-21 biennium, our intention would be to not refund any other prepaid funds received until future-years funding for this program is assured.

Finally, there is a new national Veteran's Cemetery coming to Fargo and the Standing Rock Sioux Tribe has recently received a grant to construct the national All Nations Veterans Cemetery near Fort Yates. As federal rules allow for no-cost burial services for the spouse and dependents of veterans in national cemeteries, this bill would provide the North Dakota Veterans Cemetery with comparable equity to these local national veteran's cemeteries.

Thank you for your time and I would be glad to answer any questions you may have.



NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

#1
SB 2195
3-1-19



Senator Richard Marcellais

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COMMITTEES:

Education
Government and Veterans Affairs

Testimony

Senate Bill No. 2195

Government and Veterans Affairs Committee

Representative Jim Kasper, Chairman

March 1, 2019

Chairman Kasper, members of the Government Veteran Affairs Committee, for the record my name is Richard Marcellais, Senator from District 9, of Belcourt I am here today to provide testimony on Senate Bill 2195.

Senate Bill 2195 would allow for the spouse or eligible dependents burial fees of \$550.00 to be waved.

The North Dakota Veterans Cemetery was established by an act of the ¹⁹⁸⁹ 2989 Legislative Assembly and is operated by the Office of the Adjutant General of North Dakota.

Any Veteran wartime or peacetime service is eligible for burial in the North Dakota Veterans Cemetery. Present and past National Guard members and present and past Army, Air Force, Navy, Marine Corps and Coast Guard Reserve Forces.

There is no cost to the Veteran for burial. If a spouse or eligible dependent is buried the fee is \$550.

In honor of all those who have served & especially to those Veterans who have protected our countries freedoms, may they rest in peace.

I believe that our North Dakota Veterans spouses and dependents are entitled to have their burial fees of \$550 should be waved.

Thank You very much for the opportunity to appear in support of Senate Bill 2195. If there are any questions I will try and answer them.

#2
SB 2195
3-1-19

SB—2195 opening a grave for a spouse and eligible dependents NDVC

The sacrifice of our military personnel is acknowledged and appreciated by most Americans. From huge send offs to packed airport terminals upon coming home our veterans are given robust applause and standing ovations. The exception to this story was those of us who came back from Vietnam.

There is another group that receive no robust applause and standing ovations: the spouses of our veterans. Most of the time, spouse is left on the sidelines, unrecognized for his or her sacrifice, courage and commitment to the nation. Military and veteran spouses are truly the unsung heroes, often putting their careers on hold, often to the detriment of their financial wellbeing, while the other spouse is gone serving the Nation. The spouse at home is trying to raise a family, have a career, balance the finances, fix the car, call the plumber being two parents at once yet never complaining. All too often the spouse becomes a caregiver to a disabled veteran, suffering from PTSD, loss of limbs or who is slowly dying from the effects of Agent Orange and other toxins.

We all know that the veteran is interred free of charge in any Federal or State Veteran Cemetery. The spouse is provided free internment in a Federal Cemetery. It is time to honor the spouse whose sacrifice, courage and commitment is no less telling. We have an opportunity to honor the sacrifices, commitments and courage of the spouse who held things together at home. Currently during the 50th Commemoration of the Vietnam War, spouses of Vietnam Veterans are presented a "Blue Star" to commemorate their marriage to a Vietnam Veteran. The accompanying citation states in part "On behalf of a grateful Nation and the Department of Defense we honor your service and sacrifice. Our Nation is forever indebted to you and extends its deepest respect and admirations." With the Passage of this bill we would be saying a small way "On behalf of a grateful State we honor your service and sacrifice."

Please give a do pass to this bill and lets us as a state honor these unsung heroes, The spouse of a veteran.

#3
SB 2195
3-1-19

SENATE BILL 2195

Testimony before the North Dakota House of Representatives Government & Veterans Affairs Committee

By

Mark Landis
Burleigh County Veterans Service Officer

Mister Chairman, members of the committee, good morning. My name is Mark Landis. I have been the veterans service officer in Burleigh County for 15 years and currently serve as president of the Professional Veterans Advocates of North Dakota.

I am here to support Senate Bill 2195, which would offset burial fees for eligible non-veteran family members at the North Dakota Veterans Cemetery. Burleigh County has the highest number of veterans at the cemetery. At this time, I would also like to thank Senator Marcellais for bringing this bill forward.

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Providing a burial benefit for family members may be a small thank you compared to their sacrifices, but it would be a significant gesture of good will and recognition of their contributions to our state and nation.

Thank you for the opportunity to testify today.

March 1, 2019

TESTIMONY OF
BRIGADIER GENERAL ROBERT BECKLUND
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
HOUSE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
01 MARCH 2019
SENATE BILL 2195

#4
SB 2195
3-1-19

Good morning Mr. Chairman, members of the committee, I am Brigadier General Robert Becklund, Deputy Adjutant General for the North Dakota National Guard. I am here today to provide updated and additional information on Senate Bill 2195 on behalf of the Office of the Adjutant General.

First, we would like to provide you with some data to help you better estimate the amount of general funds required to off-set the loss of the special funding we currently receive for the burial of our veteran's spouses and/or dependents. The original \$160,000 amount in the bill was based on historical projections prior to 2015 and would not have been enough for us to provide the required burials should this bill pass as written. For example, during the 2015-17 biennium the actual amount was just over \$166,000; and for the 2017-19 biennium the actual amount is projecting to be approximately \$196,650. Based upon this increasing trend of spouse/dependent burials per year at the current rate of \$550 each, we project the amount in the 2019-21 biennium to be closer to \$210,000. And, if we have higher than average burials of spouses and/or dependents, or if rates increase, it is possible that we would not have enough funding under this bill to cover actual costs forcing us to re-role funding from our existing Operations and Maintenance accounts to cover costs of burials. We are comfortable with the \$250,000 now proposed.

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Finally, there is a new national Veteran's Cemetery coming to Fargo and the Standing Rock Sioux Tribe has recently received a grant to construct the national All Nations Veterans Cemetery near Fort Yates. As federal rules allow for no-cost burial services for the spouse and dependents of veterans in national cemeteries, this bill would provide the North Dakota Veterans Cemetery with comparable equity to these local national veteran's cemeteries.

Thank you for your time and I would be glad to answer any questions you may have.

#5
SB 2195
3-1-19

37-03-14. North Dakota veterans' cemetery - Administration.

The adjutant general shall establish and operate the North Dakota veterans' cemetery, which the adjutant general shall locate 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 moneys 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 shall provide lots in the state veterans' cemetery for the interment of deceased members of the national guard, other reserve components, and veterans, and their spouses, minor children, and unmarried adult children who were physically or mentally disabled and incapable of self-support. The adjutant general may adopt, amend, or rescind any rules under chapter 28-32 as deemed necessary to implement and administer this section.

37-03-15. Training facility designated.

The training facility located at Camp Grafton (South) is to remain a part of the overall Camp Grafton training complex but is designated as the Major General C. Emerson Murry regional live fire and maneuver training center.

37-03-16. Adjutant general - Provision of funding - Source.

The adjutant general shall pay all expenses incurred by the state to participate in the compact on educational opportunity for military children, including the reimbursement of actual and necessary expenses incurred by members of the state council, from the operating expenses line item in the appropriation bill for the adjutant general, as approved by the legislative assembly.

37-03-17. North Dakota adjutant general and disaster response coin - Presented by whom - Qualifications.

The adjutant general may present an adjutant general coin to deserving individuals who have distinguished themselves through exceptional service to the mission of the North Dakota national guard or department of emergency services. The adjutant general may present a disaster response coin to deserving individuals who have distinguished themselves through exceptional service during times of disaster or emergency in the state.

19.0229.02000

FIRST ENGROSSMENT

6
SB 2195
3-1-19

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2016

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the
2 adjutant general; to amend and reenact sections 37-07.1-03 and 37-07.2-01 of the North
3 Dakota Century Code, relating to the national guard tuition waiver and national guard tuition
4 grants; to provide for a transfer; to provide for a report; to provide a statement of legislative
5 intent; to provide an exemption; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the office of the adjutant general for the purpose of defraying the expenses of
11 the office of the adjutant general, for the biennium beginning July 1, 2019, and ending June 30,
12 2021, as follows:

13 Subdivision 1.

14 NATIONAL GUARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17 Salaries and wages	\$6,666,525	\$147,083	\$6,813,608
18 Operating expenses	3,525,934	(758,613)	2,767,321
19 Capital assets	224,046	0	224,046
20 Grants	318,553	(107,637)	210,916
21 Civil air patrol	299,580	4,295	303,875
22 Tuition, recruiting, and retention	2,617,500	2,164,572	4,782,072
23 Air guard contract	8,098,582	443,544	8,542,126
24 Army guard contract	57,717,944	(10,818,059)	46,899,885

#6
SB 2195
3-1-19

Sixty-sixth
Legislative Assembly

1	Veterans' cemetery	881,284	91,388	972,672
2	Reintegration program	1,261,384	(213,635)	1,047,749
3	Camp Grafton expansion	<u>0</u>	<u>600,000</u>	<u>600,000</u>
4	Total all funds	\$81,611,332	(\$8,447,062)	\$73,164,270
5	Less estimated income	<u>65,174,778</u>	<u>(10,426,348)</u>	<u>54,748,430</u>
6	Total general fund	\$16,436,554	\$1,979,286	\$18,415,840
7	Subdivision 2.			

DEPARTMENT OF EMERGENCY SERVICES

9			Adjustments or	
10		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
11	Salaries and wages	\$12,551,119	(\$1,226,414)	\$11,324,705
12	Operating expenses	6,988,451	2,379,149	9,367,600
13	Capital assets	0	660,000	660,000
14	Grants	16,889,159	(615,734)	16,273,425
15	Disaster costs	51,445,841	(18,992,521)	32,453,320
16	Radio communications	<u>0</u>	<u>785,000</u>	<u>785,000</u>
17	Total all funds	\$87,874,570	(\$17,010,520)	\$70,864,050
18	Less estimated income	<u>78,424,702</u>	<u>(16,757,646)</u>	<u>61,667,056</u>
19	Total general fund	\$9,449,868	(\$252,874)	\$9,196,994

20 Subdivision 3.

21 BILL TOTAL

22			Adjustments or	
23		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
24	Grand total general fund	\$25,886,422	\$1,726,412	\$27,612,834
25	Grand total special funds	<u>143,599,480</u>	<u>(27,183,994)</u>	<u>116,415,486</u>
26	Grand total all funds	\$169,485,902	(\$25,457,582)	\$144,028,320
27	Full-time equivalent positions	234.00	(10.00)	224.00

28 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-**
 29 **SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding items
 30 approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the 2019-21
 31 biennium one-time funding items included in section 1 of this Act:

#6
SB 2195
3-1-19

Sixty-sixth
Legislative Assembly

1	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
2	National guard readiness center	33,000,000	\$0
3	Emergency response equipment	569,000	660,000
4	Camp Grafton expansion	0	600,000
5	Uninterruptible power supply battery replacement	0	20,000
6	Computer-aided dispatch equipment	0	516,000
7	Message switch system upgrade	0	335,000
8	Dispatching service fee shortfall	0	1,212,253
9	Dakota access pipeline law enforcement	21,000,000	0
10	Mobile repeaters and programming radios	<u>300,000</u>	<u>0</u>
11	Total all funds	\$54,869,000	\$3,343,253
12	Total other funds	<u>54,869,000</u>	<u>3,162,253</u>
13	Total general fund	\$0	\$181,000

14 The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget
15 for the 2021-23 biennium. The adjutant general shall report to the appropriations committees of
16 the sixty-seventh legislative assembly on the use of this one-time funding for the biennium
17 beginning July 1, 2019, and ending June 30, 2021.

18 **SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In
19 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item
20 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are
21 received and deposited in the veterans' cemetery maintenance fund pursuant to sections
22 37-03-14 and 39-04-10.10 for the operation of the North Dakota veterans' cemetery for the
23 biennium beginning July 1, 2019, and ending June 30, 2021.

24 **SECTION 4. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
25 **FUND.** The estimated income line item in subdivision 1 of section 1 of this Act includes
26 \$600,000 of one-time funding from the strategic investment and improvements fund for the
27 camp Grafton expansion. The estimated income line item in subdivision 2 of section 1 of this Act
28 includes \$1,902,253 of one-time funding from the strategic investment and improvements fund
29 for computer-aided dispatch equipment, message switch system upgrades, and 911 dispatching
30 service operations due to a revenue shortfall.

1 **SECTION 5. CAMP GRAFTON EXPANSION - LEGISLATIVE INTENT.** It is the intent of the
2 sixty-sixth legislative assembly that:

3 1. The adjutant general purchase options during the period beginning with the effective
4 date of this Act and ending June 30, 2021, for the purchase or long-term lease of land
5 for the camp Grafton expansion, including the purchase of no more than one thousand
6 six hundred acres and the long-term lease of the remainder, not to exceed six
7 thousand acres in total.

8 2. If the adjutant general secures options to purchase or lease all necessary land for the
9 camp Grafton expansion, the sixty-seventh legislative assembly provide funding and
10 authority for the purchase or long-term lease of land for the camp Grafton expansion
11 during the biennium beginning July 1, 2021, and ending June 30, 2023.

12 3. The adjutant general not use eminent domain for the expansion of camp Grafton.

13 **SECTION 6. AMENDMENT.** Section 37-07.1-03 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **37-07.1-03. Tuition waiver - Terms.**

16 A qualifying member of the national guard who enrolls in any state-controlled school,
17 subject to rules adopted by the adjutant general, is entitled to receive a ~~twenty-five~~thirty-five
18 percent waiver of the tuition from the state-controlled school, conditioned on the adjutant
19 general having sufficient appropriations for tuition reimbursement under section 37-07.1-06.2.
20 The tuition waiver is valid only so long as the member of the national guard maintains
21 satisfactory performance with the guard, meets the qualification requirements of rules adopted
22 by the adjutant general, and pursues a course of study in a manner that satisfies the normal
23 requirements of the school.

24 **SECTION 7. AMENDMENT.** Section 37-07.2-01 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **37-07.2-01. National guard ~~tuition~~member grants and tuition waivers - Terms of**
27 **~~grants.~~**

28 Any

29 1. Subject to legislative appropriation and rules adopted by the adjutant general, a
30 qualifying member of the national guard who enrolls in an accredited postsecondary
31 institution in North Dakota which is not controlled by the state may, ~~subject to the~~

- 1 ~~limitations of available appropriated funds and subject to national guard rules adopted~~
2 ~~by the adjutant general, receive a grant in an amount not to exceed the cost of tuition~~
3 ~~and fees for similar courses and credit hours for each~~ qualifying member of the
4 ~~national guard who is enrolled at~~ in the North Dakota university system
5 ~~school~~ institution with the highest tuition and fee rate.
- 6 2. Any accredited postsecondary institution that agrees to participate in such is not
7 controlled by the state and which participates in the national guard member grant
8 program must ~~shall~~ waive twenty-five percent of the tuition for ~~that otherwise would be~~
9 charged to each enrolled, qualifying member of the national guard ~~smenguard. These~~
10 ~~grants must be distributed according to rules promulgated by the adjutant general and~~
11 ~~are available only so~~
- 12 3. The adjutant general shall adopt rules for distributing grants under this section and
13 establishing qualification requirements for grant recipients.
- 14 4. A member of the national guard may receive a grant under this section only as long as
15 the member maintains satisfactory performance with the national guard, meets the
16 qualification requirements of the rules adopted under this section, and pursues a
17 course of study which ~~satisfies~~ satisfying the normal requirements of the
18 ~~school~~ postsecondary institution in which the member is enrolled.
- 19 5. For purposes of calculating the grant amount under subsection 1, the "cost of tuition
20 and fees for similar courses and credit hours for a qualifying member of the national
21 guard who is enrolled in the North Dakota university system institution with the highest
22 tuition and fee rate" may not be reduced by more than twenty-five percent pursuant to
23 section 37-07.1-03.

24 **SECTION 8. MAINTENANCE AND REPAIRS - TRANSFERS.** The director of the office of
25 management and budget may transfer up to \$500,000 of appropriation authority to the
26 operating expenses and capital assets line items contained in section 1 of this Act from the
27 various other line items contained in section 1 of this Act, as requested by the adjutant general
28 to provide for the maintenance and repair of state-owned armories in this state during the
29 biennium beginning July 1, 2019, and ending June 30, 2021. The adjutant general shall notify
30 the legislative council of any transfers made pursuant to this section.

1 **SECTION 9. EXEMPTION.** Any amounts carried over in the radio communications line item
2 for the state radio tower package, in section 7 of chapter 15 of the 2017 Session Laws is not
3 subject to section 54-44.1-11 and any unexpended funds are available for completing these
4 projects or for technology upgrade costs required to implement the statewide interoperable
5 radio network during the biennium beginning July 1, 2019, and ending June 30, 2021.

6 **SECTION 10. EXEMPTION.** The amount appropriated in the tuition, recruiting, and
7 retention line item in subdivision 1 of section 1 of chapter 15 of the 2017 Session Laws is not
8 subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used
9 to provide tuition assistance, recruiting, and retention incentives to eligible members of the
10 North Dakota national guard during the biennium beginning July 1, 2019, and ending June 30,
11 2021.

12 **SECTION 11. EXEMPTION.** Any amounts carried over pursuant to section 11 of chapter 15
13 of the 2017 Session Laws which are unexpended as of June 30, 2019, are not subject to
14 section 54-44.1-11 and are available for payment of adjusted compensation to veterans. Any
15 unexpended funds from this appropriation must be transferred to the veterans' cemetery trust
16 fund during the biennium beginning July 1, 2019, and ending June 30, 2021.

17 **SECTION 12. EXEMPTION.** The amount of \$300,000 from the strategic investment and
18 improvements fund appropriated in the operating expenses line item in subdivision 2 of
19 section 1 of chapter 15 of the 2017 Session Laws for mobile repeaters and programming radios
20 is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be
21 used to complete this project during the biennium beginning July 1, 2019, and ending June 30,
22 2021.

23 **SECTION 13. EXEMPTION.** Any amounts carried over in the disaster costs line item for
24 grants to political subdivisions for amounts required to match federal dollars on road grade
25 raising projects and federal emergency relief funding pursuant to section 13 of chapter 15 of the
26 2017 Session Laws which are unexpended as of June 30, 2019, are not subject to section
27 54-44.1-11. Any unexpended funds from this appropriation are available for these purposes
28 during the biennium beginning July 1, 2019, and ending June 30, 2021.

29 **SECTION 14. EXEMPTION.** The amount of \$8,530,116 from the state disaster relief trust
30 fund appropriated in the disaster costs line item in subdivision 2 of section 1 of chapter 15 of the
31 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this

1 appropriation may be used to provide the required state share for the purposes of reimbursing
2 costs under section 37-17.1-27 during the biennium beginning July 1, 2019, and ending
3 June 30, 2021.

4 **SECTION 15. EMERGENCY.** Sections 4 and 5 and the camp Grafton expansion and
5 tuition, recruiting, and retention line items in subdivision 1 of section 1 of this Act are declared to
6 be an emergency measure.

7
SB 2195
3-1-19

NDLA, H GVA - Hart, Carmen

From: NDLA, Intern 09 - O'Neill, Seth
Sent: Friday, March 01, 2019 4:00 PM
To: -Grp-NDLA House Government & Veterans Affairs
Cc: NDLA, H GVA - Hart, Carmen
Subject: FW: ND Veterans Cemetery Burial info
Attachments: SB 2195 Burials broken down.xlsx

Hello,

Please see the attached information.

Thank You,

Seth O'Neill
Intern – ND Legislative Council
Fort Union Room
House Health & Human Services Committee
House Government & Veterans Affairs Committee
Email: intern9@nd.gov
Phone: 328-3204

-----Original Message-----

From: Sheldon, Jay G MAJ USARMY NG NDARNG (USA) [mailto:jay.g.sheldon.mil@mail.mil]
Sent: Friday, March 01, 2019 2:59 PM
To: NDLA, Intern 09 - O'Neill, Seth <intern9@nd.gov>
Subject: ND Veterans Cemetery Burial info

***** CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

House GVA,

Attached you will find the breakdown of the burials at the Veterans Cemetery back to 2010.

We are working to gather info to address additional questions.

MAJ Jay G. Sheldon
NDNG J-5/9
Strategic Plans and Policy Officer
141 MEB S2
O: 701-333-2172
C: 701-426-2297

INFORMATION FOR SB2195

NORTH DAKOTA VETERANS CEMETERY BURIAL STATISTICS

<u>YEAR</u>	<u>VETERAN</u>	<u>SPOUSE</u>	<u>DEPENDENT</u>
2010	272	125	4
2011	291	131	4
2012	316	135	0
2013	355	150	0
2014	317	149	2
2015	328	191	4
2016	294	188	2
2017	310	191	6
2018	337	205	1

TOTALS 2820 1465 23

	<u>VETERANS</u>	<u>SPOUSE</u>	<u>DEPENDENT</u>
AVG/ YEAR	313	163	3

2

7
SB 2195
3-1-19

#1
SB 2195
3-15-19

NDLA, H GVA - Hart, Carmen

From: NDLA, Intern 09 - O'Neill, Seth
Sent: Monday, March 11, 2019 2:12 PM
To: NDLA, H GVA - Hart, Carmen; -Grp-NDLA House Government & Veterans Affairs
Subject: FW: House GVA

Hello,

Please see the message below from MAJ Jay G. Sheldon.

Thanks,

Seth O'Neill
Intern – ND Legislative Council
Fort Union Room
House Health & Human Services Committee
House Government & Veterans Affairs Committee
Email: intern9@nd.gov
Phone: 328-3204

-----Original Message-----

From: Sheldon, Jay G MAJ USARMY NG NDARNG (USA) [mailto:jay.g.sheldon.mil@mail.mil]
Sent: Monday, March 11, 2019 2:11 PM
To: NDLA, Intern 09 - O'Neill, Seth <intern9@nd.gov>
Subject: House GVA

***** CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Mr. Chairman and Members of the House GVA,

Below are responses to your questions that came up during the hearing on SB 2195 regarding the burial costs for spouses and qualifying dependents. We have included some additional information that we thought may be helpful as well.

1. What does the \$550 cover? This is a burial fee for a spouse or qualified dependent and is used to support the operations and maintenance of the North Dakota Veterans Cemetery (NDVC). The NDVC does not charge a fee for eligible service members because it receives a payment of \$780 per service member (amount changes each 1 October) and a headstone from the Veterans Administration (VA). The \$780 is part of the base budget for the operations and maintenance of the cemetery.
2. How did we come to the amount of \$550? The fee is based upon what other states veterans' cemeteries charge as well as private cemeteries in North Dakota. Burial fees vary from \$ 0.00 to \$762 at state veteran's cemeteries. Generally speaking, a private cemetery in North Dakota charges in excess of our \$550 fee. Our fee was set to be consistent with other veterans' cemeteries and competitive with private cemeteries in North Dakota. Because this fee is part of our baseline budgeting process, any reduction in the fee would have to be off-set by another revenue source.
3. What is the \$550 used for? This fee provides funding for the operations and maintenance of the Cemetery such as equipment use, personnel salary costs, and consumables. As noted above, we are reimbursed from the VA at a rate of

#1
SB 2195, 3-15-19

\$780 for eligible veteran burials. This amount, coupled with spousal and eligible dependent burials (\$550 fee), along with state General and special funding, provide the funding needed to operate the cemetery.

We stand ready to provide more information and answer any further questions at future hearings.

MAJ Jay G. Sheldon
NDNG J-5/9
Strategic Plans and Policy Officer
141 MEB S2
O: 701-333-2172
C: 701-426-2297

cc.
conf. comm.

SB2195
4-11-19
add #1
pg 1

SB 2195 - Government and Veterans Affairs Conference April 11th, 2019

Conference Committee Chairman and Government and Veterans Affairs Conference Committee Members,

I, Major General Al Dohrmann, North Dakota National Guard Adjutant General, want to provide additional information and clarification on SB 2195. My primary concerns are with funding of the burials and impacts of providing this benefit for a restricted period of time.

I have attached a spreadsheet that contains the last nine year average for burials at the ND State Veterans Cemetery with a specific breakout for the last three years. You will notice the number of burials have been on a steady increase over the years. In comparison to the nine year average, the average of the last three years shows an on average increase of 32 burials. We anticipate this trend will continue.

Additionally, the funding that is currently allocated in SB2195 is not sufficient to pay the costs of the projected burials for the 2019-21 biennium. Based on the three year average and the growth trend we forecast that the next biennium would require at least \$210K to fully fund the benefit.

If the funding cannot be increased an amendment to the language of the bill to change the term "paying" to "defraying" the costs is requested. This would allow me the ability to manage the benefit equitably without risk of exceeding the appropriated funds. If funding were to be exceeded it will require a request to the emergency commission to cover the above and beyond amount.

I am also concerned that the funding for this expires at the end of the 2019-21 biennium. I believe that if it is the intent of the legislature to offer this benefit to eligible spouses and dependents that the legislature should also make it enduring and not limited to the next biennium.

Finally, to clarify the Cemetery budget. Although the ND Veterans Cemetery has the authority for nearly \$1M most of those funds come from federal grants and reimbursements or special funds. In the OTAG budget for 2019-21, ND State Veteran's Cemetery will receive roughly \$127K in general funds. A more detailed budget is below.

Governor's Recommendation 2019-21:

General Funds \$ 127,630
Special Funds 854,220
Total 2019-21 \$ 981,850

Thank you for your time and we will be happy to stand for additional questions.

INFORMATION FOR SB2195

NORTH DAKOTA VETERANS CEMETERY BURIAL STATISTICS

<u>YEAR</u>	<u>VETERAN</u>	<u>SPOUSE</u>	<u>DEPENDENT</u>
2010	272	125	4
2011	291	131	4
2012	316	135	0
2013	355	150	0
2014	317	149	2
2015	328	191	4
2016	294	188	2
2017	310	191	6
2018	337	205	1
TOTALS	2820	1465	23

<u>PAST 9-YEAR AVERAGE</u>				<u>ANNUAL TOTAL</u>	<u>BIENNIUM TOTAL</u>
	<u>VETERANS</u>	<u>SPOUSE</u>	<u>DEPENDENT</u>		
AVG/ YEAR	313	163	3		
Spouse/Dependent Average fees:				\$91,300.00	\$182,600.00
<u>PAST 3-YEAR AVERAGE</u>					
	<u>VETERANS</u>	<u>SPOUSE</u>	<u>DEPENDENT</u>		
AVG/ YEAR	314	195	3		
Spouse/Dependent Average fees:				\$108,900.00	\$217,800.00

Spouse/Dependent Burial Fee \$550.00

pg 2
 OH #1
 4-11-19
 SB 2195

19.0933.02002
Title.

Prepared by the Legislative Council staff for
Senator Vedaa

April 11, 2019

SB 2195
4-15-19
AH #1
pg 1

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2195

That the House recede from its amendments as printed on page 1162 of the Senate Journal and pages 1206 and 1207 of the House Journal and that Engrossed Senate Bill No. 2195 be amended as follows:

Page 1, line 5, replace "\$250,000" with "^{175,000}\$220,000"

Page 1, line 6, replace "paying" with "defraying"

Renumber accordingly

175K
delayed effective date