
Veterans and Military Enactments by the 2007 Minnesota Legislature

This information brief describes laws passed by the 2007 Legislature that relate to veterans, military affairs, and the veterans homes boards, including appropriations and policy changes.

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Veterans Funding and Policy Enactments

Appropriations

The omnibus agriculture and veterans affairs appropriations bill appropriated \$12,855,000 in fiscal year 2008, and \$12,571,000 in fiscal year 2009 from the general fund and other named funds to the Minnesota Department of Veterans Affairs (MDVA) for various veterans programs, as follows.

Fiscal Year 2008 and 2009 Appropriations for Veterans Programs

| Amount of Appropriation and Year | Purpose |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$1,000,000 each year and added to the base | State Soldier's Assistance Fund |
| \$750,000 each year and added to the base | Grants to County Veteran Service Offices (CVSOs) to enhance veterans programs and services. Counties must compete for the grants based on program goals specified in the rider |
| \$750,000 each year and added to the base | Tribal service offices |
| \$750,000 each year for onetime grant | Minnesota Assistance Council for Veterans |
| \$200,000 each year for onetime appropriation | For marketing veterans outreach programs |
| \$250,000 each year and added to the base | For grants to specified congressionally chartered veterans service organizations |
| \$450,000 each year | For expansion of the higher education veterans assistance program. This amount must remain in the base budget through fiscal year 2011. |
| \$100,000 each year | For information technology within the agency |
| \$75,000 each year | State veterans' cemetery operations |
| \$250,000 each year | Department of Administration, including creating an ombudsman position for veterans and their families at the Minneapolis Veterans Home |
| \$100,000 each year for a onetime appropriation | For compensation for honor guards at veterans' funerals |
| \$52,000 in fiscal year 2008, available until expended | For educational stipends for spouses of veterans who have died as a direct result of the person's military service. An eligible spouse is provided a stipend of \$750 during each semester that the person is attending a higher educational institution, until attaining a bachelor's degree or the equivalent. |
| \$100,000 each year for a onetime appropriation | For use in providing information and outreach on the availability of health screening tests for depleted uranium in the bodies of veterans returning from Iraq and Afghanistan |
| \$250,000 onetime, for fiscal year 2008 | For assisting World War II veterans to attend the World War II Memorial dedication ceremony on the Capitol Mall |

| Amount of Appropriation and Year | Purpose |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$80,000 onetime for fiscal year 2008 | For suicide prevention and psychological support for returning veterans. Of this amount, \$50,000 is for a study by the commissioner and the adjutant general, and \$30,000 is for a telephone hotline to refer veterans to available psychological counseling services. |
| \$338,000 each year | From the Support Our Troops License Plate account in the special revenue fund for making grants to veterans' service organizations and for outreach to underserved veterans |

(Laws 2007, Ch. 45, Art. 2, § 1; not codified)

The omnibus governmental operations bill provided an additional appropriation of \$500,000 in fiscal year 2008 from the general fund to Washington County for improvements for the Disabled Veteran's Rest Camp on Big Marine Lake.

(Laws 2007, Ch. 148, Art. 1, § 12, subd. 5; not codified)

Education

Minnesota GI Bill Program Created

The legislature created a new program to provide postsecondary educational assistance to eligible Minnesota veterans and to the children and spouses of deceased and severely disabled Minnesota veterans (severely disabled means a disability that is service-connected and 100 percent permanent). The program is designed as a "last dollar in" program in which the benefit amount is determined by subtracting other public financial aid (Pell grant, state grant, and military and veterans educational assistance) from the cost of attending a Minnesota public college or participating private college. The Minnesota GI bill is intended to be a supplemental or backup program for recipients who have spent down other forms of educational aid.

Educational assistance under the program for a full-time undergraduate or graduate student is limited to \$1,000 per semester and \$10,000 lifetime. The MDVA commissioner has administrative responsibility for the program. Students can apply for aid through the college, and payment is made directly to the college the student is attending, which in turn deducts the aid from the person's tuition balance.

Eligible individuals include any veteran who has served honorably in any branch of the U.S. Armed Forces since September 11, 2001, anyone who has served honorably for five or more years in the National Guard or other reserves, and the spouse and children of any such service member who has died in military service or been totally and permanently disabled as a result of such service.

(Laws 2007, ch. 144, art. 2, § 49; Minn. Stat. § 197.791)

To fund this program, the legislature appropriated \$6,000,000 for fiscal year 2008 and \$6,000,000 for fiscal year 2009.

(Laws 2007, ch. 144, art. 1; not codified)

Educational Assistance for War Survivors

The legislature enacted legislation that clarifies and slightly extends the War Orphans Act of 1943 (renamed the War Survivors Act), which provides a full waiver of tuition and fees at any Minnesota public higher education institution to the dependent children of a soldier or veteran who dies as a direct result of military service. The act extends this benefit to the person's spouse, as well. The statute also provides a stipend of \$750 per year to the eligible spouse and children during each year of their higher education.

To be eligible, the veteran must have been a Minnesota resident at the time of entry into the military. The benefit ceases once the recipient attains a bachelor's degree or the equivalent.

(Laws 2007, ch. 45, art. 2, § 3; Minn. Stat. § 197.75)

Employment

Employment Licensing and Certification

A longstanding law continues a person's state-issued occupational or professional license or certificate of registration while the person is mobilized for military service; a new enactment clarifies this law by making it also apply to licenses and certificates for occupations requiring training in firearms and use of force.

The law ensures that a person who is occupationally licensed or certified by the state upon entering active military service will continue to be licensed or certified upon return from that service, exempt from any continuing education, training, and fees that otherwise would have been required for relicensing or recertification had the person not been deployed. The law provides a grace period of 90 days following release from active military service for the person to apply for relicensing or recertification, whether or not the person's current license or certification has expired, after which the clock on the next licensing and certification period begins anew with the usual requirements.

The 2007 clarification ensures that firearms and use-of-force training requirements do not hinder immediate reemployment in the person's former job and directs that if such retraining is needed, it must be provided by the person's employer without delay to the person's reemployment. Such professions and occupations would include, for example, peace officers, game wardens, correctional officials, private security guards, animal control officers, and others. [Note: This bill *does not* pertain to concealed carry firearms permits for Minnesota citizens who are otherwise not occupationally or professionally licensed by the state.]

(Laws 2007, ch. 51, § 1; Minn. Stat. § 326.56, subd. 2)

Veteran's Preference in Scott County

Attached to a law restructuring personnel rules in Scott County, a new provision directs that veteran's preference in Scott County government be governed by the statute for state employees ([Minn. Stat. § 43A.11](#)), instead of the statute for county employees ([Minn. Stat. § 197.455](#)).

Veteran's preference for state employment requires all applicants who meet minimum qualifications for a vacant state position to be ranked with disabled veterans first, followed by nondisabled veterans, followed by nonveterans. However, there is no corresponding requirement for a prospective state agency employer to observe that ranking when offering the position.

Veteran's preference for county employment consists of ranking job candidates after adding a credit of ten points to the test score of a disabled veteran and five points to the score of a nondisabled veteran.

([Laws 2007, ch. 25](#), § 2; not codified)

Health Services

Psychological Counseling Services for Veterans

By November 1, 2007, the MDVA commissioner and the adjutant general of the National Guard must report to the legislature regarding the psychological needs of returning soldiers and veterans, and recommend how best to address those needs.

The report must also provide an overview of treatment resources available for veterans, with particular emphasis on the mental health facility being planned by the Veterans Home Board for Kandiyohi County.

([Laws 2007, ch. 45](#), art. 2, § 6; not codified)

Recreation

Free Hunting and Fishing Licenses for Veterans Recently Discharged

A Minnesota resident who has served at any time during the preceding 24 months in federal active military service outside the United States and has been discharged from active service is entitled to a free fishing license and small-game hunting license. The resident must carry proof of residency and official military discharge papers when obtaining and using these licenses. The eligible veteran is also entitled to one free deer-hunting license, but must obtain any seals, tags, and coupons normally required of a licensee, which must be furnished without charge by any license agent.

([Laws 2007, ch. 57](#), art. 1, § 88; [Minn. Stat. § 97A.465](#), subd. 1b)

Resident Hunting and Fishing Licenses for Spouses

Nonresident spouses of Minnesota residents serving in active military service may obtain resident hunting and fishing licenses, which are generally less expensive than nonresident licenses.

(Laws 2007, ch. 57, art. 1, § 87; Minn. Stat. § 97A.465, subd. 1a)

Hunting Safety Certificate for Soldiers and Veterans

Like anyone else born in or after 1980, military veterans wishing to hunt by firearms in Minnesota are required to possess a state-issued firearm safety certificate. However, any person who has successfully completed military basic training is now exempt from the field and shooting exercise for that certificate, and may take the remainder of the training course online at the Department of Natural Resources website. These provisions are not limited to Minnesota residents.

(Laws 2007, ch. 131, art. 1, § 33; Minn. Stat. § 97B.015, subd. 5a)

Free State Park Pass for Certain Service Members

Any current or recently discharged (up to 90 days) service member stationed outside Minnesota, whether a resident or not, is entitled to a free daily vehicle pass for any Minnesota state park by presenting his or her current military orders to the park attendant. The veteran is not exempt from any camping fees.

(Laws 2007, ch. 131, art. 1, § 18; Minn. Stat. § 85.053, subd. 8)

Smoking Ban Exemption

Disabled veterans rest camps are exempt from the smoking ban established by the Freedom to Breath Act of 2007, which prohibits indoor smoking in nearly all public places and places of employment. Veterans clubs, hospitals, and nursing homes are not exempt.

(Laws 2007, ch. 82, § 10; Minn. Stat. § 144.4167, subd. 8)

Miscellaneous

Consumer Protections Upon Mobilization

This act provides three types of consumer protections for persons being ordered into active military service, being mobilized, or being given a permanent change of duty stations.

- **Utility Service.** A municipal utility, cooperative electric association, or a public utility must not disconnect the service of a residential customer upon or during the person's military mobilization or transfer if the qualifying service member agrees to cooperate with the service provider to stay reasonably current with payment.

- **Wireless Contracts.** A qualifying service member or the spouse of such person may terminate without penalty, upon military mobilization or transfer, a preexisting wireless service contract or any portion of it.
- **Other Contracts.** A qualifying service member who enters into a rental, club, membership travel, or service contract may cancel the contract upon mobilization or transfer if the person's orders make it impractical for the person to abide by the terms and conditions of the contract.

(Laws 2007, ch. 111, §§ 1 to 3; Minn. Stat. §§ 325E.208; 325G.54; and 325G.55)

Veteran's Preference in Rental Assistance Programs

Minnesota law has long provided preference for occupancy in low-rent public housing to families of persons who have died in military service, as well as to families of veterans and families receiving aid for dependent children (AFDC). This enactment extends such preference to disabled veterans, persons with disabilities, and to families receiving assistance under the Minnesota Family Investment Program (AFDC successor program).

(Laws 2007, Ch. 135, Art. 8, § 8; Minn. Stat. § 469.021)

Honor Guards

A new law directs the MDVA commissioner to pay, within available funds, a stipend of up to \$50 to a local unit of a congressionally chartered veterans organization each time the unit provides honor guard service at the funeral of a veteran. It allows the commissioner to give priority to local units *not* operating charitable gambling. It also authorizes the commissioner to alternatively pay the stipend to a student playing taps at the service.

(Laws 2007, ch. 45, art. 2, § 2; Minn. Stat. § 197.231)

Flag Sales and Battle Flags

All U.S. flags sold in Minnesota must be made in America. In addition, all flags and colors carried by Minnesota troops in the Civil War, the Indian Wars, and the Spanish-American War are now the responsibility of the Minnesota Historical Society, while those carried in subsequent wars are the responsibility of the adjutant general.

(Laws 2007, ch. 135, art. 8, §§ 1 and 2; Minn. Stat. §§ 190.096 and 325E.65)

Military Affairs Funding and Policy Enactments

Appropriations

The omnibus agriculture and veterans affairs bill appropriated \$21,161,000 in fiscal year 2008 and \$19,362,000 in fiscal year 2009 from the general fund or other named fund to the Department of Military Affairs for its activities.

Fiscal Year 2008 and 2009 Appropriations for Military Affairs

| Amount of Appropriation and Year | Purpose |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| \$10,210,000 in FY2008 \$10,213,000 in FY2009 Available in either year, until expended | For enlistment incentives |
| \$6,837,000 in FY2008 \$6,660,000 in FY2009 | Maintenance of training facilities |
| \$185,000 in FY2008 (onetime) | Special assessments |
| \$4,114,000 in FY2008 \$2,489,000 in FY2009 | General support <ul style="list-style-type: none">• \$1,500,000 the first year for the National Guard reintegration program, available until spent• 338,000 each year, available until expended, from the Support Our Troops license plate account in the special revenue fund, for grants to soldiers and their families in financial distress• \$150,000 the first year for the predesign and design of a new facility for the Minnesota Starbase science education enrichment program for students from participating inner-city grade schools• \$25,000 the first year for a longitudinal study measuring student improvement in academic achievement associated with participation in the Starbase Program• \$30,000 each year for payment to National Guard soldiers for their service as honor guards at the funerals of fellow National Guard soldiers and veterans |

(Laws 2007, ch. 45, art. 3, §§ 1 and 2; not codified)

National Guard Nonappropriated Fund Instrumentality

This law authorizes the adjutant general to establish a fund for activities supporting the morale and welfare of Guard members, including for recreational facilities and activities at Camp Ripley and other property owned or controlled by the Minnesota National Guard.

The law states that no general fund money or other state funds may be used for the purposes authorized under this section. However, the fund may accept donations and federal funds, as well as money received from user fees, rental charges, and recycling activities, to the extent authorized by federal regulations.

(Laws 2007, ch. 45, art. 3, § 5; Minn. Stat. § 192.515)

Minnesota Historical Society – Appropriations

The omnibus jobs, economic development, and housing bill appropriated the following onetime amounts for fiscal year 2008 to the Minnesota Historical Society for specified military projects:

- \$100,000 for the Minnesota Military Museum at Camp Ripley, to document the military service of Minnesota men and women
- \$150,000 for the preservation of battle flags
- \$16,000 for the Minnesota Air National Guard Museum

(Laws 2007, ch. 135, art. 1, § 9, subds. 3 and 4; not codified)

Starbase Minnesota Program – Bond Sale Authorization Reduced

The amount of the bond sale authorized in 2006 legislation for the National Guard's Starbase education facility is reduced by \$150,000. In effect, the general fund appropriation of \$150,000 and simultaneous repeal of \$150,000 from bond proceeds brings the funding for design of the Starbase facility into compliance with federal regulations.

(Laws 2007, Ch. 45, Art. 3, §§ 6 and 7; Minn. Stat. § 192.515)

Education

Educational Grant Program for Officer Recruitment

This law amends the National Guard Tuition Reimbursement Program by authorizing up to 25 educational grants of \$1,000 each to highly qualified persons who agree to join the Minnesota National Guard as commissioned officers.

(Laws 2007, ch. 21, § 1; Minn. Stat. § 192.501, subd. 2)

Employment

Unemployment Insurance Income Exemption

Previously, the calculation for unemployment insurance compensation included a formula offset of up to \$200 of earnings from the National Guard and reserves. This law repeals that provision and expressly states: “No deduction is made from an applicant’s weekly unemployment benefit amount for earnings from service in the National Guard or a United States military reserve unit.”

(Laws 2007, ch. 128, art. 2, § 7; Minn. Stat. § 268.085, subd. 5)

Recreation

Amateur Athletics Eligibility

Establishes that members of the National Guard and Reserves who are eligible participants in any Minnesota amateur athletic association upon being ordered into active military service are eligible for both regular and postseason play when home on leave, and following demobilization from the military, the continued eligibility is the same as if the member had been present and participating in association play during the entire mobilization time, irrespective of the length of that mobilization. High schools and postsecondary educational institutions are explicitly exempted from this provision.

This section applies to any member of the National Guard or other reserves ordered into active military service at any time, before or after the May 5, 2007, effective date.

(Laws 2007, ch. 45, art. 3, § 4; Minn. Stat. § 192.503)

Miscellaneous

Commissioning Bonus Program

The Minnesota National Guard has long had a reenlistment bonus incentive program for enlisted personnel. This act extends that program to offer commissioning bonuses as incentives to newly commissioned officers.

(Laws 2007, ch. 21, § 1; Minn. Stat. § 192.501, subd. 1b)

Support our Troops Account – Authorized Purpose

This law adds an authorized purpose for spending from the Minnesota Support Our Troops account established in the special revenue fund, which is administered by the adjutant general. Currently, funds in the account may be used to make small grants to Minnesotans serving in active military service, including mobilized members of the National Guard and Reserves, as well as regular active duty troops and their family members. The act adds veterans, following their mobilization and separation from active military service, as well as their family members.

The grants are intended to assist eligible individuals with special financial needs related to their active military service.

(Laws 2007, ch. 86; Minn. Stat. § 190.19, subd. 2)

Honor Guards – National Guard

Authorizes the adjutant general to activate a member of the National Guard into state active service at the person's normal rate of military pay to serve as an honor guard at the funeral of any current or former Guard member who died while in active military service or who had been honorably discharged after serving six or more years in the National Guard.

(Laws 2007, ch. 45, art. 3, § 3; Minn. Stat. § 192.382)

Veterans Homes Board Funding and Policy

Appropriations

The omnibus health and human services bill appropriated \$43,184,000 in fiscal year 2008 and \$45,206,000 in fiscal year 2009 from the general fund for the Veterans Homes Board to manage Minnesota's five veterans homes (located in Minneapolis, Hastings, Luverne, Silver Bay, and Fergus Falls).

- **Repair and Betterment.** \$325,000 each year.
- **Base Adjustment.** Establishes the base at \$41,956,000 in each year of the fiscal year 2010-2011 biennium.
- **Pay for Performance.** \$50,000 is withheld in the first year and becomes payable January 1, 2009, provided that the Minnesota Department of Health does not issue any penalty assessment for management deficiencies prior to September 30, 2008. Regardless of whether this appropriation is made available to the board, it shall be part of the base appropriation for the fiscal year 2010-2011 biennium.

(Laws 2007, ch. 147, art. 19, § 5; not codified)

Fund Balance Carryforward

A new act authorized the carryforward of any remaining nongrant operating balances in the veterans homes' budget for the biennium ending June 30, 2007. It appropriates those funds for costs associated with onetime technology, infrastructure, and systems development projects. It also requires the board to report on the use of these funds.

(Laws 2007, ch. 147, art. 19, § 20; not codified)

Veterans Home Board Member Credentials

The law requires that the chair of the Veterans Home Board be a veteran and increases from three to eight the number of board members required to be experienced in public policy and health care delivery.

However, it relaxes the current requirement that the executive director be a veteran, stating instead that it is “preferable . . . but not required . . . that the person be a veteran.” The bill directs the board, when hiring for the director position, to initially place the names of only those qualified applicants who are veterans on the candidate list and, only if there are fewer than three qualified veterans on the list, may the board add the names of qualified applicants who are not veterans.

(Laws 2007, ch. 45, art. 2, §§ 4 and 5; Minn. Stat. §§ 198.002, subd. 2, and 198.004, subd. 1)

For more information about military affairs and veterans, visit our web site, www.house.mn/hrd/issinfo/vetmil.htm.