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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4334

02/28/2024 Authored by Olson, B., and Newton
The bill was read for the first time and referred to the Committee on Veterans and Military Affairs Finance and Policy
03/20/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to veterans; prohibiting state benefits when certain veterans and former
1.3 service members forfeit federal benefits; modifying oversight of veterans home
1.4 administrators; requiring planning for a new state veterans cemetery; amending
1.5 Minnesota Statutes 2022, section 198.005; Laws 2010, chapter 333, article 2,
1.6 section 23, as amended; proposing coding for new law in Minnesota Statutes,
1.7 chapter 197.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. 197.08] FORFEITURE OF BENEFITS.

1.10 Any veteran as defined by section 197.447, any veteran's spouse or dependent, any
1.11 former service member of the armed forces, or any former service member's spouse or
1.12 dependent shall not qualify for state-funded benefits, services, or programs under this
1.13 chapter, chapter 196, or chapter 198 if the veteran or former service member was determined
1.14 by the United States Department of Veterans Affairs to have forfeited the veteran's or service
1.15 member's entitlement to federal benefits according to United States Code, title 38, chapter
1.16 61.

1.17 Sec. 2. Minnesota Statutes 2022, section 198.005, is amended to read:

1.18 198.005 ADMINISTRATORS.

1.19 The commissioner shall appoint an administrator for each of the veterans homes. The
1.20 administrators act as the administrative head for their respective veterans homes. The
1.21 administrators shall have a current Minnesota nursing home administrator's license and shall
1.22 serve in the unclassified service. The salaries of the administrators are not subject to section

2.1 43A.17, subdivision 1. ~~The administrators serve at the pleasure of the commissioner and~~
2.2 ~~report directly to the commissioner.~~

2.3 Sec. 3. Laws 2010, chapter 333, article 2, section 23, as amended by Laws 2011, First
2.4 Special Session chapter 12, section 47, is amended to read:

2.5 Sec. 23. **PLANNING NEW VETERANS CEMETERIES.**

2.6 (a) The commissioner of veterans affairs shall determine a suitable site and plan for
2.7 ~~three~~ four new state veterans cemeteries, one to be located in northeastern Minnesota, one
2.8 to be located in northwestern Minnesota, one to be located in southeastern Minnesota, and
2.9 one to be located in southwestern Minnesota. In determining the site for a cemetery, the
2.10 commissioner shall consider available public land options and shall seek proposals for
2.11 donated land from interested counties, local communities, civic organizations, veterans
2.12 service organizations, and individuals.

2.13 (b) For determining the veterans cemetery site in southeastern Minnesota, the
2.14 commissioner shall give priority consideration to land owned and proposed for donation
2.15 by the county of Fillmore.

2.16 (c) The commissioner's planning process for a state veterans cemetery must include, at
2.17 a minimum, the following actions:

2.18 (1) determining the need for the cemetery;

2.19 (2) investigating the availability of suitable land for the cemetery;

2.20 (3) assessment of impacts of the cemetery;

2.21 (4) encouragement of support from veteran service organizations and local governments;
2.22 and

2.23 (5) preparation and submission of a preapplication for a grant from the United States
2.24 Department of Veterans Affairs for commitment of funding for establishing the cemetery.

2.25 (d) By January 15, 2011, the commissioner shall report to the chair and ranking minority
2.26 member of the house of representatives and senate committees having responsibility for
2.27 veterans affairs with a report of the commissioner's progress in implementing this section.

2.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.