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State of Minnesota  
**HOUSE OF REPRESENTATIVES**  
NINETIETH SESSION

**H. F. No. 728**

02/01/2017 Authored by Hilstrom, Ward, Halverson, Lien, Nelson and others  
The bill was read for the first time and referred to the Committee on State Government Finance

1.1 A bill for an act  
1.2 relating to veterans affairs; appropriating money for veterans support including  
1.3 support for domestic abuse prevention, mental health services, chemical abuse  
1.4 treatment, veterans homelessness prevention, compensation to honor guards, and  
1.5 veterans courts; providing a veterans nursing home tax credit; amending Minnesota  
1.6 Statutes 2016, section 197.05; proposing coding for new law in Minnesota Statutes,  
1.7 chapter 290.

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

1.9 Section 1. Minnesota Statutes 2016, section 197.05, is amended to read:

1.10 **197.05 FUND, HOW EXPENDED.**

1.11 (a) The state soldiers' assistance fund shall be administered by the commissioner of  
1.12 veterans affairs and shall be used to locate and investigate the facts as to any Minnesota  
1.13 resident or resident alien residing in Minnesota who served in the military or naval forces  
1.14 of the United States and who is indigent or suffering from any disability whether acquired  
1.15 in the service or not; to assist the person and the person's dependents as hereinafter provided  
1.16 in establishing and proving any just claim the person may have against the United States  
1.17 government, or any other government or state for compensation, insurance, relief, or other  
1.18 benefits; to provide maintenance and relief for any person suffering from disability who  
1.19 was a bona fide resident of the state at the time the need arose and the person's dependents,  
1.20 as hereinafter provided; and to cooperate with other state, municipal, and county officials  
1.21 and civic or civilian agencies or organizations in carrying out the provisions of sections  
1.22 197.03 to 197.07. The commissioner shall limit financial assistance to veterans and  
1.23 dependents to six months, unless recipients have been certified as ineligible for other benefit  
1.24 programs.

2.1 (b) For purposes of this section, "resident" means a person living in Minnesota for at  
2.2 least 30 days with the intention of residing in the state and not for any temporary purpose.  
2.3 An applicant may verify a residence address by presenting a valid state driver's license, a  
2.4 state identification card, a voter registration card, a rent receipt, a statement by the landlord,  
2.5 apartment manager, or homeowner verifying that the individual is residing at the address,  
2.6 or other form of verification approved by the commissioner.

2.7 (c) Except as otherwise provided in this section, the fund is appropriated to be used in  
2.8 the manner determined by the commissioner of veterans affairs for these purposes.

2.9 (d) The commissioner shall issue grants to veterans who are required to participate in  
2.10 substance abuse treatment or mental health counseling by a court of law. A veteran is not  
2.11 required to qualify under the schedule of maximum monthly allowances to be eligible to  
2.12 receive a grant under this paragraph. The commissioner shall issue grants under this paragraph  
2.13 on a case-by-case basis considering the totality of the veteran's financial circumstances. The  
2.14 commissioner shall presume a veteran who either qualified for appointment of a public  
2.15 defender under section 611.17, or is participating in veterans court, is financially qualified  
2.16 to receive a grant under this paragraph.

2.17 Sec. 2. **[290.0682] VETERANS NURSING HOME CREDIT.**

2.18 Subdivision 1. Credit allowed. (a) An eligible veteran or other individual who pays for  
2.19 the eligible veteran to live in a nursing home is allowed a credit against the tax due under  
2.20 this chapter. The credit equals 50 percent of the amount the individual paid for each qualified  
2.21 month in which the eligible veteran lived in a nursing home. The maximum credit is \$30,000,  
2.22 except that the maximum credit is \$60,000 for a married couple filing a joint return if both  
2.23 spouses are eligible veterans.

2.24 (b) For a part-year resident, the credit must be allocated based on the percentage  
2.25 calculated under section 290.06, subdivision 2c, paragraph (e).

2.26 Subd. 2. Definitions. (a) For purposes of this section the following terms have the  
2.27 meanings given.

2.28 (b) "Eligible veteran" means a Minnesota resident who:

2.29 (1) meets the definition of "veteran" provided in section 197.447;

2.30 (2) meets the eligibility requirements to reside in a Minnesota veterans home as provided  
2.31 in section 198.01; and

3.1 (3) has applied for admission to one or more Minnesota veterans homes and is on an  
3.2 active waiting list.

3.3 Eligible veteran does not include an individual who has been offered and declined placement  
3.4 in a Minnesota veterans home.

3.5 (c) "Nursing home" has the meaning given in Minnesota Statutes, section 144A.01,  
3.6 subdivision 5.

3.7 (d) "Qualified month" means a month in which the eligible veteran does not receive  
3.8 medical assistance under chapter 256B.

3.9 Subd. 3. **Credit refundable.** If the amount of credit which the claimant is eligible to  
3.10 receive under this section exceeds the claimant's tax liability under this chapter, the  
3.11 commissioner shall refund the excess to the claimant.

3.12 Subd. 4. **Appropriation.** An amount sufficient to pay the refunds required by this section  
3.13 is appropriated from the general fund to the commissioner.

3.14 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December  
3.15 31, 2016.

3.16 Sec. 3. **VETERANS AND GUARDSMEN ENTITLED TO STATE HEALTH**  
3.17 **INSURANCE; STUDY; REPORT.**

3.18 The commissioner of veterans affairs, the commissioner of military affairs, and the  
3.19 commissioner of human services shall jointly study and report on the feasibility of permitting  
3.20 veterans and resident members of the state's National Guard who meet the federal health  
3.21 care eligibility guidelines for veterans and guardsmen set by the United States Veterans  
3.22 Administration and the United States Department of Defense to receive coverage under the  
3.23 medical assistance and MinnesotaCare programs. The study shall provide separate cost  
3.24 estimates for providing coverage under medical assistance and MinnesotaCare, and shall  
3.25 provide recommendations for maximizing federal financial participation. By January 1,  
3.26 2018, the commissioners shall provide a copy of the report to the chairs and ranking minority  
3.27 members of the legislative committees with jurisdiction over veterans affairs, military affairs,  
3.28 and human services.

3.29 Sec. 4. **HONOR GUARD; APPROPRIATION.**

3.30 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated to the  
3.31 commissioner of veterans affairs for compensation for honor guards at the funerals of  
3.32 veterans under Minnesota Statutes, section 197.231.

4.1 Sec. 5. **MINNESOTA ASSISTANCE COUNCIL FOR VETERANS;**  
4.2 **APPROPRIATION.**

4.3 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated to the  
4.4 commissioner of veterans affairs for a grant to the Minnesota Assistance Council for Veterans  
4.5 to provide assistance throughout Minnesota to veterans and their families who are homeless  
4.6 or in danger of homelessness.

4.7 Sec. 6. **VETERANS DOMESTIC ABUSE PREVENTION; CHANGE STEP**  
4.8 **PROGRAM; APPROPRIATION.**

4.9 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general  
4.10 fund to the commissioner of public safety for a grant to the Domestic Abuse Project to offer  
4.11 the change step program to all veterans who self-refer or are ordered by a court of law to  
4.12 participate in a domestic abuse counseling and education program.

4.13 Sec. 7. **SOLDIERS' ASSISTANCE PROGRAM; APPROPRIATION.**

4.14 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general  
4.15 fund to the state soldiers' assistance fund. The commissioner of veterans affairs must use  
4.16 this appropriation to fund grants to veterans as provided for in Minnesota Statutes, section  
4.17 197.05, paragraph (d).

4.18 Sec. 8. **VETERANS COURTS; APPROPRIATION.**

4.19 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general  
4.20 fund to the State Court Administrator for the purpose of developing and supporting veterans  
4.21 courts throughout the state. This appropriation is available until spent.