CHAPTER 197

VETERANS; REWARDS, PRIVILEGES

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197.01 MS 1998 [Repealed, 2000 c 390 s 16]

197.02 MS 1998 [Repealed, 2000 c 390 s 16]

197.03 STATE SOLDIERS' ASSISTANCE FUND CREATED.

There is created a state soldiers' assistance fund to aid and assist any citizen of Minnesota or resident alien residing in Minnesota who served in the military or naval forces of the United States, in securing compensation, insurance or other relief or benefits to which the server may be entitled from the United States or any other government or state and for the emergency relief, hospitalization, treatment and maintenance

of all such persons who were bona fide residents of the state at the time their need arose and their dependents as provided by sections 196.05 and 197.04 to 197.07.

History: *(4601) 1923 c 436 s 3; 1929 c 327; 1984 c 609 s 14; 1986 c 444; 1991 c 123 s 2; 2004 c 256 art 2 s 1*

197.04 COMPOSITION OF FUND.

The state soldiers' assistance fund shall consist of all sums paid to or received by the commissioner of veterans affairs under the provisions of sections 197.03 to 197.07 and of any and all moneys and properties that may be appropriated, donated, given, bequeathed, or devised to the state soldiers' assistance fund or to the commissioner of veterans affairs for the benefit of the fund.

History: *(4602) 1923 c 436 s 4; 1929 c 327; 1991 c 123 s 5; 2000 c 390 s 12*

197.05 FUND, HOW EXPENDED.

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

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

(c) The fund is appropriated to be used in the manner determined by the commissioner of veterans affairs for these purposes.

History: *(4603) 1923 c 436 s 5; 1929 c 327; 1984 c 609 s 15; 1986 c 444; 1991 c 123 s 5; 1995 c 254 art 1 s 72; 2000 c 390 s 13; 2003 c 18 s 1; 2004 c 256 art 2 s 2*

197.06 SOLDIERS' ASSISTANCE AGENT.

The commissioner of veterans affairs shall have charge of activities as provided in this section, and may employ assistants and incur other expenses as may be necessary for the administration of the state soldiers' assistance fund and carrying out the provisions of sections 197.03 to 197.07. No expense shall be incurred under the provisions of sections 197.03 to 197.07 in excess of the moneys available to the state soldiers' assistance fund.

The duties and powers of the commissioner of veterans affairs, in addition to those provided elsewhere by law, shall be to:

(1) administer the state soldiers' assistance fund;

(2) cooperate with national, state, county, municipal and private social agencies in securing to former soldiers and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

(3) establish and provide assistance to former soldiers and their dependents who are in need of assistance with optical, dental, or other emergency medical needs; and

(4) cooperate with United States government agencies providing compensation, pensions, insurance or other benefits provided by federal law, by supplementing the benefits prescribed by federal law, when exceptional conditions in an individual case make it necessary.

History: *(4604) 1923 c 436 s 6; 1925 c 88; 1929 c 327; 1980 c 414 s 5; 1986 c 444; 1991 c 123 s 5; 2000 c 390 s 14*

197.065 ACCESS TO DATABASE.

(a) Notwithstanding section 13.46, subdivision 2, the commissioner of veterans affairs may electronically access the MAXIS database maintained by the Department of Children, Youth, and Families for the purpose of verifying eligibility status of applicants for benefits under the State Soldiers Assistance Program, the Veterans Stable Housing Initiative, and veterans programs. The commissioner may electronically access the MAXIS database to ensure that veterans are connected to all available state and federal resources for which the veterans are eligible.

(b) In order to access any private data on individuals, as defined by section 13.02, subdivision 12, pursuant to paragraph (a), the commissioner of veterans affairs must have received informed consent from the subject of the data.

History: *2003 c 25 s 2; 2025 c 30 art 2 s 6*

197.07 SOLDIERS' ASSISTANCE FUND DEPOSITED IN STATE TREASURY.

The soldiers' assistance fund shall be deposited in the state treasury and paid out only in such vouchers as may be authorized and approved by the commissioner of veterans affairs in the same manner and under the same restrictions as are now provided by law for the disbursement of funds by the commissioner.

History: *(4605) 1923 c 436 s 7; 1986 c 444; 1991 c 123 s 5*

197.09 MS 1982 [Repealed, 1983 c 335 s 3]

197.10 MS 1982 [Repealed, 1983 c 335 s 3]

197.11 MS 1982 [Repealed, 1983 c 335 s 3]

197.12 [Obsolete]

197.13 MS 1984 [Repealed, 1985 c 152 s 5]

197.131 MS 2014 [Repealed, 2015 c 77 art 3 s 9]

197.132 MS 2014 [Repealed, 2015 c 77 art 3 s 9]

197.133 DISPOSAL OF PROPERTY AND EXPIRATION OF BOARD OF GOVERNORS.

(a) If a majority of the board determines that the disposal of the Big Island Veterans camp or a portion of the camp is in the best interests of Minnesota veterans, or if the camp is not used solely as a camp for and

by disabled and other veterans and their families and operated and maintained in compliance with all state, federal, and local laws, the board may dispose of the property at market value as provided in this section. Before disposing of the property, the board shall give notice by certified mail to the commissioner of veterans affairs of its decision to dispose of the property. The commissioner shall publish the notice in the State Register. Interested governmental agencies have until the end of the next legislative session after the notice to appropriate money to purchase the property.

(b) Proceeds realized from the disposal of the property and any assets on hand at the time of the disposal of the property, must be placed in an irrevocable trust to be used for the initiation or maintenance of veterans programs in the state of Minnesota. Trustees must be appointed in the same manner as provided for under Minnesota Statutes 2014, section 197.131. The trustees shall consult with the commissioner of veterans affairs to determine the needs of Minnesota veterans and provide the commissioner with an annual written report on the trust. The commissioner must approve all expenditures from the trust. A certified audit of all assets, expenditures, and property must be conducted prior to any disposition of any assets under the control of the board. Any board member who would benefit directly or indirectly financially from the sale of this property must be removed by the board and a successor appointed as provided by Minnesota Statutes 2014, section 197.131. Upon final disposition of all assets to the trust, the board must disband. Should the assets of the trust be exhausted, the trust must be terminated.

(c) The trustees appointed under paragraph (b) shall have the exclusive authority to remove a trustee of the trust established under paragraph (b). A trustee may be removed at any time without cause upon a majority vote of the trustees with consent of the commissioner of veterans affairs.

(d) A vacancy in a trusteeship of the trust established under paragraph (b) must be filled for the remainder of the unexpired term in the same manner as the original appointment.

History: *1985 c 152 s 3; 1997 c 7 art 2 s 26; 2015 c 77 art 3 s 5*

197.14 MS 1974 [Repealed, 1976 c 149 s 63]

197.15 MS 1984 [Repealed, 1985 c 152 s 5]

197.16 MS 1984 [Repealed, 1985 c 152 s 5]

197.17 MS 1984 [Repealed, 1985 c 152 s 5]

197.18 MS 1984 [Repealed, 1985 c 152 s 5]

197.19 MS 1984 [Repealed, 1985 c 152 s 5]

197.20 MS 1967 [Repealed, 1969 c 275 s 12]

197.21 MS 1967 [Repealed, 1969 c 275 s 12]

197.211 MS 1967 [Repealed, 1969 c 275 s 12]

197.22 MS 1967 [Repealed, 1969 c 275 s 12]

197.225 MS 2024 [Repealed, 2026 c 50 s 3]

197.23 PURCHASE OF GRAVE MARKERS.

Subdivision 1. **Authorization.** The commissioner of veterans affairs may provide, within available funds and upon request of a county veterans service officer or any congressionally chartered veterans

organization, an appropriate marker for the grave of any veteran as defined under section 197.447. Any marker provided must be used for memorial purposes to permanently mark the grave of a veteran buried within the limits of the state.

Subd. 2. MS 2002 [Repealed, 2004 c 256 art 2 s 5]

History: *(4373) 1909 c 299 s 1; 1931 c 363 s 4; 1969 c 275 s 6; 3Sp1981 c 2 art 1 s 28; 1983 c 147 s 2*

197.231 HONOR GUARDS.

The commissioner of veterans affairs shall pay, within available funds and upon request by a local unit of a congressionally chartered veterans organization or its auxiliary, up to $50 to the local unit for each time that local unit provides an honor guard detail at the funeral of a:

(1) deceased veteran;

(2) veteran of the Secret War in Laos, as defined in section 197.448, subdivision 1; or

(3) member of a reserve component of the armed forces, and any member of the Army National Guard or the Air National Guard, as defined in section 197.236, subdivision 8, paragraph (b), clause (3).

If the local unit provides a student to play "Taps," the local unit may pay some or all of the $50 to the student.

History: *2007 c 45 art 2 s 2; 2012 c 149 s 1; 2026 c 96 s 4*

197.235 MS 1992 [Repealed, 1994 c 632 art 3 s 65]

197.236 STATE VETERANS CEMETERIES.

Subdivision 1. MS 1998 [Repealed, 1999 c 86 art 2 s 6]

Subd. 2. MS 1998 [Repealed, 1999 c 86 art 2 s 6]

Subd. 3. **Operation and maintenance.** The commissioner of veterans affairs shall supervise and control the veterans cemeteries established under this section. The cemeteries are to be maintained and operated in accordance with the operational standards and measures of the National Cemetery Administration. The commissioner may contract for the maintenance of the cemeteries. All personnel, equipment, and support necessary for maintenance and operation of the cemeteries must be included in the department's budget.

Subd. 4. MS 2002 [Repealed, 2004 c 256 art 2 s 5]

Subd. 5. **Rules.** The commissioner of veterans affairs may adopt rules regarding the operation of the cemeteries. The commissioner shall require that upright granite markers supplied by the United States Department of Veterans Affairs be used to mark all gravesites.

Subd. 6. **Permanent development and maintenance account.** A veterans cemetery development and maintenance account is established in the special revenue fund of the state treasury. Receipts for burial fees, plot or interment allowance claims, designated appropriations, and any other cemetery receipts must be deposited into this account. The money in the account, including interest earned, is appropriated to the commissioner to be used for the development, operation, maintenance, and improvement of the cemeteries. To the extent practicable, the commissioner of veterans affairs must apply for available federal grants to establish, expand, or improve the cemeteries.

Subd. 7. MS 2006 [Repealed, 2008 c 297 art 2 s 13,30]

Subd. 8. **Eligibility.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "minor child" means an unmarried child under 21 years of age or under 23 years of age and pursuing a full-time course of instruction at an approved educational institution;

(2) "unmarried adult child" means an unmarried child who became permanently physically or mentally disabled and incapable of self support before 21 years of age or before 23 years of age and pursuing a full-time course of instruction at an approved educational institution; and

(3) "willful misconduct" means an act involving conscious wrongdoing or known prohibited action as described in United States Code, title 38, section 3.1, paragraph (n).

(b) Cemeteries must be operated solely for the burial of the following persons:

(1) service members who die on active duty, eligible veterans, and other persons as listed in United States Code, title 38, section 2402, paragraph (a), subparagraphs 1 to 4 and 7;

(2) veterans of the Secret War in Laos;

(3) beginning January 1, 2027, members of a reserve component of the armed forces, and any member of the Army National Guard or the Air National Guard when:

(i) the member completed at least one full term of service and received an honorable discharge; or

(ii) the member's death occurs while in good standing with their assigned component and was not due to their willful misconduct;

(4) spouses, surviving spouses, minor children, or unmarried adult children of a person listed in United States Code, title 38, section 2402, paragraph (a), subparagraphs 1 to 4 and 7; and

(5) beginning January 1, 2027, spouses, surviving spouses, minor children, or unmarried adult children of a person listed in clause (3).

For purposes of this section, a surviving spouse includes a surviving spouse who had a subsequent marriage.

(c) An honorable discharge under this section does not include a general discharge under honorable conditions.

(d) Applicants with convictions under United States Code, title 18, section 704, are ineligible for burial in state veterans cemeteries. By January 1, 2027, the commissioner must establish a process to verify that applicants for burial have not been convicted of stolen valor.

Subd. 9. **Burial fees.** (a) The commissioner of veterans affairs shall establish a fee schedule, which may be adjusted from time to time, for the interment of qualified persons under subdivision 8, paragraph (b), clauses (2) to (5). The fees shall cover as nearly as practicable the actual costs of interment.

(b) Upon application, the commissioner may waive or reduce the burial fee for an indigent eligible person. The commissioner shall maintain a policy, eligibility standards, and application form for requests to waive or reduce the burial fee to indigent eligible applicants.

(c) No plot or interment fees may be charged for the burial of service members who die on active duty or eligible veterans, as defined in United States Code, title 38, section 2402, paragraph (a), subparagraphs 1 to 4 and 7.

Subd. 10. MS 2006 [Repealed, 2008 c 297 art 2 s 13,30]

Subd. 11. **Plot allowance claims.** The commissioner of veterans affairs must apply to the Veterans Benefits Administration for a plot or interment allowance payable to the state for expenses incurred by the state in the burial of eligible veterans in cemeteries owned and operated by the state if the burial is performed at no cost to the veteran's next of kin.

Subd. 12. **No staff.** No staff may be hired for any new veterans cemetery without explicit legislative approval.

History: *1994 c 632 art 3 s 53; 2008 c 297 art 2 s 13; 1Sp2017 c 4 art 4 s 4; 2025 c 30 art 2 s 7,8; 2026 c 96 s 5,6*

197.24 MS 1967 [Repealed, 1969 c 275 s 12]

197.25 MS 1941 [Obsolete]

197.26 MS 1941 [Obsolete]

197.27 MS 1941 [Obsolete]

197.28 MS 1941 [Obsolete]

197.29 MS 1941 [Obsolete]

197.30 MS 1941 [Obsolete]

197.31 MS 1961 [Repealed, 1965 c 47 s 1]

197.32 MS 1961 [Repealed, 1965 c 47 s 1]

197.33 MS 1961 [Repealed, 1965 c 47 s 1]

197.34 MS 1961 [Repealed, 1965 c 47 s 1]

197.35 MS 1961 [Repealed, 1965 c 47 s 1]

197.36 MS 1961 [Repealed, 1965 c 47 s 1]

197.37 MS 1961 [Repealed, 1965 c 47 s 1]

197.38 MS 1961 [Repealed, 1965 c 47 s 1]

197.39 MS 1961 [Repealed, 1965 c 45 s 73]

197.40 MS 1961 [Repealed, 1965 c 45 s 73]

197.41 MS 1961 [Repealed, 1965 c 45 s 73]

197.42 MS 1957 [Repealed, 1961 c 561 s 17]

197.43 MS 1957 [Repealed, 1961 c 561 s 17]

197.44 MS 1957 [Repealed, 1961 c 561 s 17]

197.447 VETERAN, DEFINED.

The word "veteran" as used in Minnesota Statutes, except in sections 136F.28, 196.21, and 243.251, means a citizen of the United States or a resident alien who has been separated under honorable conditions

from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, or who has met the minimum active duty requirement as defined by Code of Federal Regulations, title 38, section 3.12a, or who has active military service certified under section 401, Public Law 95-202. The active military service must be certified by the United States secretary of defense as active military service and a discharge under honorable conditions must be issued by the secretary.

History: *1955 c 4 s 1; 1967 c 222 s 1; 1969 c 275 s 7; 1971 c 24 s 15; 1977 c 40 s 2; 1982 c 511 s 33; 1984 c 468 s 2; 1984 c 609 s 16; 1990 c 444 s 1; 1992 c 410 s 1; 1996 c 305 art 1 s 53; 1997 c 7 art 1 s 89*

197.448 VETERAN OF THE SECRET WAR IN LAOS.

Subdivision 1. **Definition.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Commissioner" has the meaning given in section 197.61, subdivision 2, paragraph (c).

(c) "Department" has the meaning given in section 197.61, subdivision 2, paragraph (e).

(d) "VA" has the meaning given in section 197.61, subdivision 2, paragraph (g).

(e) "Veteran of the Secret War in Laos" or "SGU veteran" means a person who resides in Minnesota and who:

(1) was naturalized as provided in section 2(1) of the federal Hmong Veterans' Naturalization Act of 2000, Public Law 106-207; or

(2) is a person who the commissioner of veterans affairs determines served honorably with a special guerrilla unit or with irregular forces that operated from a base in Laos in support of the armed forces of the United States at any time during the period beginning February 28, 1961, and ending May 14, 1975, and is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.

Subd. 2. **Eligibility for benefits and privileges.** (a) A veteran of the Secret War in Laos, as defined in subdivision 1, paragraph (e), clause (1), is entitled to the benefits and privileges listed in paragraph (d) on July 2, 2025.

(b) A veteran of the Secret War in Laos, as defined in subdivision 1, paragraph (e), clause (2), is entitled to the benefits and privileges listed in paragraph (d) after the commissioner of veterans affairs verifies the person's veteran status.

(c) If the commissioner verifies a person's status as a veteran of the Secret War in Laos, the commissioner must provide the person with a certificate of eligibility for the benefits and privileges listed in paragraph (d) on a form developed by the commissioner for this purpose. The commissioner must develop the form required under this paragraph no later than September 15, 2025.

(d) The following statutory benefits and privileges available to a veteran, as defined in section 197.447, are also available to a veteran of the Secret War in Laos: section 43A.09 (civil service recruitment); section 43A.11 (veterans preference in state employment); section 43A.111 (certain disabled veterans); section 197.23 (purchase of grave markers); section 197.231 (honor guards); section 197.236 (state veterans cemeteries); section 197.455 (veterans preference); section 197.4551 (permissive preference for veterans in private employment); section 197.46 (writ of mandamus); section 197.48 (application); section 197.481 (enforcement by commissioner); and section 197.63 (vital records, certified copies).

Subd. 3. **Eligibility determination.** (a) The commissioner must establish an application process to determine a veteran's eligibility for the benefits in subdivision 2, paragraph (d).

(b) To establish eligibility, an applicant must submit a completed application for preneed determination of eligibility for burial in a VA national cemetery. County veteran service officers and the commissioner must provide assistance to applicants filling out the application. The commissioner must make copies of the application and any successor form available on the department's website and at the department's offices.

(c) After the VA makes a determination on the application, the applicant must submit the determination to the commissioner. If the VA determines that an applicant is eligible to receive benefits under subdivision 2, paragraph (d), the commissioner must issue a certificate of eligibility to the applicant for the benefits and privileges under subdivision 2, paragraph (d).

Subd. 4. **Special consideration.** (a) If the VA determines that an applicant is not eligible, the applicant may request special consideration from the commissioner. The commissioner must establish a process to request special consideration consistent with the requirements of this subdivision. The commissioner must make applicable forms to request special consideration available on the department's website and at certain department offices.

(b) An applicant seeking special consideration under this subdivision must submit the following to the commissioner:

(1) documentation from the VA regarding the determination of ineligibility; and

(2) at least two different forms of documentation supporting the applicant's claim of veteran status, which may include:

(i) original service-related documents;

(ii) an affidavit from a commissioned officer, noncommissioned officer, or other member of the applicant's chain of command who has direct knowledge of the applicant's service;

(iii) two affidavits from individuals who served with the applicant in a special guerrilla unit or irregular force and who have personal knowledge of the applicant's service; or

(iv) other appropriate and relevant proof of the applicant's service as determined by the commissioner, including but not limited to:

(A) photographs taken during the applicant's service in Laos;

(B) newspaper articles featuring or citing the applicant's service in a special guerrilla unit or irregular force;

(C) certificates of membership from a veteran's organization such as the Lao-Hmong American Coalition; Lao Veterans of America; SGU Veterans and Families of USA, Inc.; and Royal Lao Armed Forces and SGU;

(D) congressional recognition certificates;

(E) certificates of training;

(F) letters of commendation; or

(G) an affidavit from a case officer or former case officer in the United States intelligence services.

(c) The commissioner must review an application for special consideration submitted under this subdivision. The commissioner may request additional information from an applicant to validate the contents of an application for special consideration. If the commissioner determines that an applicant is eligible to receive benefits under subdivision 2, paragraph (d), the commissioner must issue a certificate of eligibility to the applicant for the benefits and privileges under subdivision 2, paragraph (d).

(d) If an application for special consideration is denied by the commissioner, an applicant may request a contested case hearing to challenge the commissioner's denial by filing a request with the commissioner within 60 days of the date of the denial notice. The request must state specific reasons for contesting the denial. A contested case hearing on a timely and properly filed request must be conducted according to the procedures in sections 14.57 to 14.62.

(e) The deadline to submit an application for eligibility under this subdivision is December 31, 2030.

History: *2025 c 30 art 2 s 9; 2026 c 96 s 7-10*

197.45 MS 1974 [Repealed, 1975 c 45 s 7]

197.455 VETERANS PREFERENCE APPLIED.

Subdivision 1. **Application.** (a) This section shall govern preference of a veteran under the civil service laws, charter provisions, ordinances, rules or regulations of a county, home rule charter or statutory city, town, school district, or other municipality or political subdivision of this state. Any provision in a law, charter, ordinance, rule or regulation contrary to the applicable provisions of this section is void to the extent of such inconsistency.

(b) Sections 197.46 to 197.481 also apply to a veteran who is an incumbent in a classified appointment in the state civil service and has completed the probationary period for that position, as defined under section 43A.16. In matters of dismissal from such a position, a qualified veteran has the irrevocable option of using the procedures described in sections 197.46 to 197.481, or the procedures provided in the collective bargaining agreement applicable to the person, but not both. For a qualified veteran electing to use the procedures of sections 197.46 to 197.481, the matters governed by those sections must not be considered grievances under a collective bargaining agreement, and if a veteran elects to appeal the dispute through those sections, the veteran is precluded from making an appeal under the grievance procedure of the collective bargaining agreement.

(c) A county, home rule charter or statutory city, town, school district, or other municipality or political subdivision may require a veteran to complete an initial hiring probationary period, as defined under section 43A.16. In matters of dismissal, a veteran employed by a county, home rule charter or statutory city, town, school district, or other municipality or political subdivision is entitled to the same rights and legal protections that state employees receive under paragraph (b).

Subd. 2. **Creation.** Recognizing that training and experience in the military services of the government and loyalty and sacrifice for the government are qualifications of merit which cannot be readily assessed by examination, a veteran's preference shall be available to a veteran as defined in section 197.447.

Subd. 3. MS 2004 [Repealed, 2005 c 95 s 1; 2005 c 156 art 4 s 12]

Subd. 4. **Nondisabled veteran's credit.** There shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points.

Subd. 5. **Disabled veteran's credit.** There shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of 15 points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that (1) the veteran obtained a passing rating on the examination without the addition of the credit points; and (2) the veteran is applying for a first promotion after securing public employment.

Subd. 5a. **Teacher hiring.** (a) Any public school under the state's Education Code that chooses at any time to use a 100-point hiring method to evaluate applicants for teaching positions is subject to the requirements of subdivisions 4 and 5 for determining veterans preference points.

(b) Any public school under the state's Education Code opting at any time not to use a 100-point hiring method to evaluate applicants for teaching positions is exempt from the requirements of subdivisions 4 and 5 for determining veterans preference points, but must instead grant to any veteran who applies for a teaching position and who has proper licensure for that position an interview for that position.

Subd. 6. **Disabled veteran; definitions.** For the purpose of the preference to be used in securing appointment from a competitive open examination, "disabled veteran" means a person who has a compensable service-connected disability as adjudicated by the United States Veterans Administration, or by the retirement board of one of the several branches of the armed forces, which disability is existing at the time preference is claimed. For purposes of the preference to be used in securing appointment from a competitive promotional examination, "disabled veteran" means a person who, at the time of election to use a promotional preference, is entitled to disability compensation under laws administered by the Veterans Administration for a permanent service-connected disability rated at 50 percent or more.

Subd. 7. **Preference for spouses.** A preference available pursuant to this section may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who because of the disability is unable to qualify.

Subd. 8. **Ranking of veterans.** An eligible with a rating augmented by veteran's preference shall be entered on an eligible list ahead of a nonveteran with the same rating.

Subd. 9. **Notification.** A governmental agency, when notifying eligibles that they have passed examinations, shall show the final examination ratings and preference credits and shall notify eligibles that they may elect to use veteran's preference to augment passing ratings.

Subd. 10. **Rejection; explanation.** If the appointing authority rejects a certified eligible who has received veteran's preference, the appointing authority shall notify the eligible in writing of the reasons for the rejection and file the notice with the appropriate local personnel officer.

History: *1975 c 45 s 4; 1981 c 210 s 54; 2004 c 207 s 29; 2009 c 94 art 3 s 14; 2010 c 333 art 2 s 9; 2012 c 192 s 5,6; 2016 c 189 art 13 s 54*

197.4551 PERMISSIVE PREFERENCE FOR VETERANS IN PRIVATE EMPLOYMENT.

Subdivision 1. **Preference permitted.** A private, nonpublic employer may grant preference to a veteran in hiring and promotion.

Subd. 2. **Preference for spouse of disabled or deceased veteran; definition.** A private, nonpublic employer may grant preference in hiring and promotion to a spouse of a disabled veteran who has a service-connected permanent and total disability and to a surviving spouse of a deceased veteran. "Disabled veteran" in this subdivision means a person who has had a compensable service-connected disability as

adjudicated by the United States Veterans Administration, or by the retirement board of one of the several branches of the armed forces.

Subd. 3. **Equal employment opportunity law.** Granting preference under subdivision 1 or 2 does not violate any local or state equal employment opportunity law, including, but not limited to, chapter 363A.

History: *2012 c 186 s 1*

197.4552 EXPEDITED AND TEMPORARY LICENSING FOR FORMER AND CURRENT MEMBERS OF THE MILITARY.

Subdivision 1. **Expedited licensing processing.** Notwithstanding any other law to the contrary, each professional licensing board defined in section 214.01, subdivisions 2 and 3, shall establish a procedure to expedite the issuance of a license or certification to perform professional services regulated by each board to a qualified individual who is:

(1) an active duty military member;

(2) the spouse of an active duty military member; or

(3) a veteran who has left service in the two years preceding the date of license or certification application, and has confirmation of an honorable or general discharge status.

Subd. 2. **Temporary licenses.** (a) Notwithstanding any other law to the contrary, each professional licensing board defined in section 214.01, subdivisions 2 and 3, shall establish a procedure to issue a temporary license or certification to perform professional services regulated by each board to a qualified individual who is:

(1) an active duty military member;

(2) the spouse of an active duty military member; or

(3) a veteran who has left service in the two years preceding the date of license or certification application, and has confirmation of an honorable or general discharge status.

(b) A qualified individual under paragraph (a) must provide evidence of:

(1) a current, valid license, certificate, or permit in another state without history of disciplinary action by a regulatory authority in the other state; and

(2) a current criminal background study without a criminal conviction that is determined by the board to adversely affect the applicant's ability to become licensed.

(c) A temporary license or certificate issued under this subdivision shall allow a qualified individual to perform regulated professional services for a limited length of time as determined by the licensing board. During the temporary license period, the individual shall complete the full application procedure as required by applicable law.

Subd. 3. **Rulemaking.** Each licensing board may adopt rules to carry out the provisions of this section.

History: *2014 c 312 art 4 s 18*

197.46 VETERANS PREFERENCE ACT; REMOVAL FORBIDDEN; RIGHT OF MANDAMUS.

(a) Any person whose rights may be in any way prejudiced contrary to any of the provisions of this section, is entitled to a writ of mandamus to remedy the wrong. After any initial hiring probationary period expires, no person holding a position either in the state civil service or by appointment or employment in any county, home rule charter or statutory city, town, school district, or any other political subdivision in the state who is a veteran separated from the military service under honorable conditions, shall be removed from the position or employment except for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, in writing.

(b) Any veteran who has been notified of the intent to discharge the veteran from an appointed position or employment pursuant to this section shall be notified in writing of the intent to discharge and of the veteran's right to request a hearing within 30 days of receipt of the notice of intent to discharge. The failure of a veteran to request a hearing within the provided 30-day period constitutes a waiver of the right to a hearing. The failure also waives all other available legal remedies for reinstatement.

Request for a hearing concerning such a discharge shall be made in writing and submitted by mail or personal service to the employment office of the concerned employer or other appropriate office or person. If the veteran requests a hearing under this section, the written request must also contain the veteran's election to be heard by a civil service board or commission, a merit authority, or an arbitrator as defined in paragraph (c). If the veteran fails to identify the veteran's election, the governmental subdivision may select the hearing body.

(c) In all governmental subdivisions having an established civil service board or commission, or merit system authority, the veteran may elect to have the hearing for removal or discharge before the civil service board or commission or merit system authority, or before an arbitrator as specified in this paragraph. Where no civil service board or commission or merit system authority exists, the hearing shall be held by an arbitrator. In cases where a hearing will be held by an arbitrator, the employer shall request from the Bureau of Mediation Services a list of seven persons to serve as an arbitrator. The employer shall strike the first name from the list and the parties shall alternately strike names from the list until the name of one arbitrator remains. After receiving each of the employer's elections to strike a person from the list, the veteran has 48 hours to strike a person from the list. The person remaining after the striking procedure must be the arbitrator. Upon the selection of the arbitrator, the employer shall notify the designated arbitrator and request available dates to hold the hearing. In the event that the hearing is authorized to be held before an arbitrator, the governmental subdivision's notice of intent to discharge shall state that the veteran must respond within 30 days of receipt of the notice of intent to discharge.

(d) Either the veteran or the governmental subdivision may appeal from the decision of the hearing body upon the charges to the district court by causing written notice of appeal, stating the grounds of the appeal, to be served upon the other party within 15 days after notice of the decision and by filing the original notice of appeal with proof of service in the office of the court administrator of the district court within ten days after service thereof. Nothing in section 197.455 or this section shall be construed to apply to the position of private secretary, superintendent of schools, or one chief deputy of any elected official or head of a department, or to any person holding a strictly confidential relation to the appointing officer. Nothing in this section shall be construed to apply to the position of teacher. The burden of establishing such relationship shall be upon the appointing officer in all proceedings and actions relating thereto.

(e) For disputes heard by a civil service board, commission or merit system authority, or an arbitrator, the governmental subdivisions shall bear all costs associated with the hearing but not including attorney fees for attorneys representing the veteran. If the veteran prevails in a dispute heard by a civil service board,

commission or merit system authority, or an arbitrator and the hearing reverses the level of the alleged incompetency or misconduct requiring discharge, the governmental subdivision shall pay the veteran's reasonable attorney fees.

(f) All officers, boards, commissions, and employees shall conform to, comply with, and aid in all proper ways in carrying into effect the provisions of section 197.455 and this section notwithstanding any laws, charter provisions, ordinances or rules to the contrary. Any willful violation of such sections by officers, officials, or employees is a misdemeanor.

History: *(4369) 1907 c 263 s 2; 1917 c 499 s 1; 1919 c 14 s 1; 1919 c 192 s 2; 1937 c 121; Ex1937 c 6 s 2; 1943 c 230 s 2; 1945 c 502 s 2; 1961 c 566 s 1; 1974 c 549 s 1; 1975 c 45 s 5; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 2009 c 94 art 3 s 15; 2010 c 333 art 2 s 10; 2012 c 230 s 1; 2015 c 77 art 3 s 6; 2016 c 189 art 13 s 55*

197.47 MS 1974 [Repealed, 1975 c 45 s 7]

197.48 APPLICATION.

No provision of any subsequent act relating to any such appointment, employment, promotion, or removal shall be construed as inconsistent herewith or with any provision of sections 197.455 and 197.46 unless and except only so far as expressly provided in such subsequent act that the provisions of these sections shall not be applicable or shall be superseded, modified, amended, or repealed. Every city charter provision hereafter adopted which is inconsistent herewith or with any provision of these sections shall be void to the extent of such inconsistency.

History: *(4369-2) 1931 c 347 s 2; 1Sp1981 c 4 art 1 s 19*

197.481 ENFORCEMENT.

Subdivision 1. **Petition.** A veteran, as defined by section 197.447, who has been denied rights by the state or any political subdivision, municipality, or other public agency of the state as authorized by the Veterans Preference Act under section 43A.11, 197.46, 197.48, or 197.455 may petition the commissioner of veterans affairs for an order directing the agency to grant the veteran such relief the commissioner finds justified by said statutes.

The petition shall be submitted via United States mail and contain:

(1) the name, address, telephone number, and notarized original signature of the veteran;

(2) the names, telephone numbers, and addresses of all agencies and persons that will be directly affected if the petition is granted;

(3) a concise statement of the facts giving rise to the veteran's rights and a concise statement showing the manner in which rights were denied;

(4) a statement of the relief requested; and

(5) a copy of the veteran's Form DD214 (Separation or Discharge from Active Duty).

Subd. 2. **Service.** Upon receipt and authorization verification of a complete petition herein, the commissioner shall serve a copy of same, by certified mail, on all agencies and persons named therein and on such other agencies or persons as in the judgment of the commissioner should in justice be parties to the proceeding. The veteran and all agencies and persons served shall be parties to the proceeding.

Subd. 3. **Subpoenas.** The commissioner shall have free access to relevant records of all parties and may issue subpoenas for and compel the attendance of witnesses and the giving of testimony and the production of books, records, accounts, documents and papers; and may administer oaths to witnesses. If any person shall fail or refuse to appear or testify regarding that upon which the person may be lawfully interrogated, or produce any books, records, accounts, documents or papers relevant in the matter under consideration, after having been lawfully required by subpoena, any judge of the district court in any county of the state where the subpoena was made returnable, on application of the commissioner, shall compel obedience or punish disobedience as for contempt as in the case of disobedience of a similar subpoena issued by such court.

Subd. 4. **Hearing.** The commissioner shall schedule a hearing on the petition of any party to be held or conducted within 120 days of serving, or being served with the authorized and complete petition. At the hearing, all parties shall have the right to be heard. A hearing hereunder shall be conducted and orders issued in accord with sections 14.57 to 14.60 and 14.62, at the office of the commissioner or at a place the commissioner designates. The commissioner shall notify all parties, by certified mail, of the date, time, and place of the hearing.

Subd. 5. **Personnel.** The commissioner may appoint a hearing officer to act in the commissioner's place and to employ such other personnel as are necessary to investigate facts in cases brought under this section. The affected political subdivision must bear all costs incurred by the commissioner under this section.

Subd. 6. **Appeals.** Appeals of orders issued under this section shall be in accordance with chapter 14.

Subd. 7. **Representation.** If a veteran receives a favorable decision hereunder and (a) a party to the proceeding appeals such decision to the district court or (b) if an action attacking the decision is begun, the commissioner shall become a party in such appeal or action and with the aid of the attorney general represent the veteran therein.

Subd. 8. **Enforcement.** When a party fails or refuses to comply with a final decision of the commissioner, the commissioner may commence an action in Ramsey County District Court requesting the court to order the party to comply with the order of the commissioner. If the commissioner has ordered an award of damages and if the court sustains or modifies the award, it shall enter judgment on the order or modified order in the same manner as in the case of an order of the district court, as provided in section 546.27.

History: *1973 c 570 s 1 subds 1-7; 1975 c 45 s 6; 1978 c 674 s 60; 1978 c 682 s 1,2; 1981 c 210 s 54; 1982 c 424 s 130; 1983 c 247 s 82; 1986 c 444; 1987 c 404 s 154; 2010 c 333 art 2 s 11-13*

197.49 MS 1998 [Repealed, 2000 c 390 s 16]

197.50 MS 1961 [Repealed, 1965 c 45 s 73]

197.51 MS 1961 [Repealed, 1965 c 45 s 73]

197.52 MS 1961 [Repealed, 1965 c 45 s 73]

197.53 MS 1967 [Repealed, 1969 c 275 s 12]

197.54 MS 1957 [Repealed, 1961 c 561 s 17]

197.55 QUARTERS FOR MEETINGS OF VETERANS ORGANIZATIONS.

The governor of this state, or any other legal custodian of public buildings within the state, shall, when not inconsistent with the public interests, set aside any portion of the public buildings for the use and

occupation as quarters and places for holding their stated or special meetings or assemblies, to any post, commandery, camp or association, local or state, of veterans of any war in which the United States has been engaged, which may be organized in the city, town, or county in which the building or buildings may be situated. Upon 20 days' written notice, duly served upon the proper officer or officers of any said organizations, by the governor or any other legal custodian, that the public buildings, rooms, or quarters are required for public use, the same shall be promptly and quietly vacated.

History: *(4382) 1905 c 37 s 1; 1911 c 107 s 1; 1990 c 426 art 1 s 24*

197.56 USE OF QUARTERS.

Such organization shall have the equal and free use of all such quarters, under such rules and upon such conditions as may be prescribed by the governor or by such custodian. All reasonable and proper facilities, so far as possible, shall at all times be furnished therein by any local post, commandery, camp, or association, which may occupy the same, for any state or national gathering of war veterans.

History: *(4383) 1905 c 37 s 2; 1985 c 248 s 70*

197.57 QUARTERS, HOW MAINTAINED.

Such quarters shall be furnished and maintained at the expense of such organizations as may occupy them under the provisions of section 197.55; provided, that if the building in which such quarters are assigned is heated and lighted at public expense, these quarters shall be so heated and lighted without cost to the organizations.

History: *(4384) 1905 c 37 s 3*

197.58 VETERANS ORGANIZATIONS.

The commissioner of administration shall set apart space in the state Veterans Service Building, for the use of congressionally chartered veterans organizations and their auxiliaries, incorporated, or when incorporated, under the laws of the state. The commissioner shall honor requests for space from the veterans organizations on a first-come, first-served basis until all available space is occupied. The commissioner of administration shall give priority to utilizing space in the Veterans Service Building for the Department of Veterans Affairs and veterans organizations and their auxiliaries. Such space shall be under the charge of the Minnesota state commander of the department of Minnesota of the veteran organization assigned thereto, and such person as the commander may in writing designate, and shall be used for the purpose of keeping therein records, archives, trophies, supplies, and other veteran property of the organization and as its general headquarters office for the department of Minnesota.

History: *(4384-2) 1929 c 434; 1969 c 275 s 8; 1985 c 78 s 1; 1986 c 444*

197.581 COMMANDERS TASK FORCE.

Subdivision 1. **Establishment.** The Commanders Task Force is established to advise the legislature, the governor, and the commissioner on matters pertaining to veterans and veterans' families.

Subd. 2. **Membership.** The task force must consist of the elected leaders from the following congressionally chartered veteran service organizations in Minnesota:

(1) The American Legion;

(2) American Veterans;

(3) Disabled American Veterans;

(4) Jewish War Veterans;

(5) Marine Corps League;

(6) Military Order of the Purple Heart;

(7) Paralyzed Veterans of America; and

(8) Veterans of Foreign Wars.

Subd. 3. **Organization.** (a) The task force shall adopt standing rules and an order of business for conducting regular meetings.

(b) The task force shall annually elect a chair and a vice-chair from among current task force members.

Subd. 4. **Duties.** The task force shall:

(1) advise the commissioner, the legislature, and the governor on matters relating to veterans, the families of veterans, and the Minnesota Department of Veterans Affairs; and

(2) serve as a liaison between state government and the organizations that make up the task force membership.

Subd. 5. **Compensation.** Notwithstanding section 15.059, subdivision 6, members are not entitled to compensation, per diem, reimbursement for child care expenses, or other expense reimbursement from state funds.

Subd. 6. **Expiration.** Notwithstanding section 15.059, subdivision 6, the task force shall not expire.

History: *2026 c 96 s 11*

197.585 HIGHER EDUCATION VETERANS ASSISTANCE PROGRAM.

Subdivision 1. **Assistance provided.** The commissioner of veterans affairs shall provide central liaison staff and campus veterans assistance officers to serve the needs of students who are veterans at higher education institutions in Minnesota. Methods of assistance may include, but are not limited to, work-study positions for veterans, and providing information and assistance regarding the availability of state, federal, local, and private resources.

Subd. 2. MS 2013 Supp [Repealed, 2014 c 286 art 1 s 5]

Subd. 3. **Office space provided.** Each campus of the University of Minnesota and each institution within the Minnesota State Colleges and Universities system shall provide adequate space for a veterans assistance office to be administered by the commissioner of veterans affairs, and each private college and university in Minnesota is encouraged to provide adequate space for a veterans assistance office to be administered by the commissioner of veterans affairs. The veterans assistance office must provide information and assistance to veterans who are students or family members of students at the school regarding the availability of state, federal, local, and private resources.

Subd. 4. MS 2012 [Repealed, 2014 c 286 art 1 s 5]

Subd. 5. MS 2010 [Repealed, 1Sp2011 c 10 art 2 s 5]

History: *2006 c 282 art 15 s 3; 2010 c 333 art 2 s 14; 2013 c 99 art 2 s 29*

197.59 MS 2002 [Repealed, 2004 c 256 art 2 s 5]

197.60 COUNTY VETERANS SERVICE OFFICERS; APPOINTMENT; COMPENSATION.

Subdivision 1. **Appointment; administrative support.** The county board of any county, or the county boards of any two or more counties acting pursuant to section 197.602, shall appoint a county veterans service officer and may appoint one or more assistant county veterans service officers who are qualified under section 197.601. The county board or boards shall provide necessary clerical help, office space, equipment, and supplies for the officer, and reimbursement for mileage and other traveling expenses necessarily incurred in the performance of duties. Subject to the direction and control of the county veterans service officer, the assistant county veterans service officer may exercise all the powers, and shall perform the duties, of the county veterans service officer, and is subject to all the provisions of sections 197.60 to 197.606 relating to a county veterans service officer. Every county officer and agency shall cooperate with the county veterans service officer and shall provide the officer with information necessary in connection with the performance of duties.

Subd. 2. **Term.** Except as otherwise prescribed in sections 197.60 to 197.606, the term of appointment of a county veterans service officer appointed pursuant to this section shall be for four years with the first 12 months of the initial appointment being a probationary period, unless removed for cause upon written charges and after a hearing thereon. If the board of county commissioners does not intend to reappoint a county veterans service officer who has been certified by the Department of Veteran Affairs, the board shall present written notice to the county veterans service officer, not later than 90 days before the termination of the county veterans service officer's term, that it does not intend to reappoint the county veterans service officer. If written notice is not timely made, the county veterans service officer must automatically be reappointed by the board of county commissioners.

Subd. 3. **Compensation.** Except as otherwise prescribed in sections 197.60 to 197.606, the county board shall fix the compensation of the county veterans service officer and assistant county veterans service officers which shall be paid in the same manner and at the same time as the county officers. The county board may fix the compensation of the county veterans service officer at a level commensurate with other county officials with the same level of responsibility.

Subd. 4. **Tax levy.** In each county employing a county veterans service officer, the county board may levy a tax annually sufficient to defray the estimated cost of all salaries and expenses necessarily incident to the performance by the county veterans service officer of duties during the succeeding year, and to make up any deficiency in the fund raised for that purpose during the preceding year. The tax so levied may be levied in excess of and over and above all taxing limitations, including, but not restricted to, limitations based upon population or local tax rates.

Subd. 5. **Oath.** Every county veterans service officer, before entering upon duties, shall take and subscribe the oath required of public officials.

History: *1945 c 96 s 1; 1947 c 408 s 1; 1949 c 583 s 1; 1973 c 350 s 1-3; 1978 c 625 s 1; 1986 c 444; 1988 c 699 s 4; 1988 c 719 art 5 s 84; 1Sp1989 c 1 art 2 s 11; 1991 c 123 s 3,4; 2010 c 333 art 2 s 15; 2011 c 76 art 1 s 78*

197.601 QUALIFICATIONS OF COUNTY VETERANS SERVICE OFFICERS.

No person shall be appointed a county veterans service officer or an assistant county veterans service officer under sections 197.60 to 197.606 unless the person is:

(1) a resident of the state of Minnesota;

(2) a citizen of the United States; and

(3) a veteran, as defined in section 197.447.

In addition, a person accepting appointment to the position of county veterans service officer or assistant county veterans service officer or other equivalent assistant position must agree to receive, within six months of the appointment, training and education for the duties of the position, including development of an effective working knowledge of relevant laws, rules, and regulations pertaining to the United States Department of Veterans Affairs, as applicable to veterans cases before the department and the administration of those cases.

History: *1945 c 96 s 2; 1953 c 699 s 8; 1955 c 4 s 4; 1977 c 29 s 2; 1986 c 444; 2010 c 333 art 2 s 16*

197.602 JOINT ACTION BY TWO OR MORE COUNTIES.

The county boards of two or more contiguous counties may make a written agreement, executed on behalf of the several county boards by the respective chairs and secretaries thereof, whereby the counties may jointly employ a county veterans service officer. The agreement shall specify the compensation to be paid to the county veterans service officer, the amount thereof to be paid by each county, the number of days per month to be worked in each county, the percentage of the total amount of compensation to be paid by each county, the amount of travel and other expenses to be paid by each county, and such other terms and conditions as may be agreed upon by the counties.

History: *1945 c 96 s 3; 1986 c 444; 2011 c 76 art 1 s 78*

197.603 DUTIES.

Subdivision 1. **Veterans benefits and assistance.** It shall be the duty of the county veterans service officer to aid all residents of the governmental subdivision by which the officer is employed in securing benefits provided by law on account of the service of any person in the armed forces of the United States, from which the person has a discharge other than dishonorable. The county veterans service officer shall aid all veterans who are residents of the governmental subdivision by which the officer is employed, regardless of the nature of discharge, in securing counseling or treatment concerning substance use disorder and substance abuse.

Subd. 2. **Records; data privacy.** Pursuant to chapter 13 the county veterans service officer is the responsible authority with respect to all records in the officer's custody. The data on clients' applications for assistance is private data on individuals, as defined in section 13.02, subdivision 12. The county veterans service officer may disclose to the county or local assessor private data necessary to determine a client's eligibility for the veteran with a disability homestead market value exclusion under section 273.13, subdivision 34.

History: *1945 c 96 s 4; 1973 c 572 s 9; 1978 c 635 s 1; 1981 c 311 s 39; 1Sp1981 c 4 art 1 s 13; 1982 c 545 s 24; 1986 c 444; 2011 c 76 art 1 s 78; 1Sp2019 c 6 art 4 s 4; 1Sp2019 c 10 art 6 s 5; 2022 c 98 art 4 s 51*

197.604 UNLAWFUL TO PAY FEE.

Subdivision 1. **Payment of fee.** It shall be unlawful for any person to pay any county veterans service officer or any employee under the officer or for any county veterans service officer or employee under the officer to receive any fee directly or indirectly for any service rendered in securing any benefit referred to in section 197.603.

Subd. 2. **Gross misdemeanor.** Any person who shall commit an act unlawful under subdivision 1 shall be guilty of a gross misdemeanor.

History: *1945 c 96 s 5; 1986 c 444; 2011 c 76 art 1 s 78*

197.605 DEPARTMENT AS A RESOURCE TO COUNTIES.

Subdivision 1. **Resources available.** The commissioner of veterans affairs shall make resources available within the Department of Veterans Affairs to every county that operates a county veterans service office, to assist the county with maintaining efficient and effective services to veterans. To receive available resources from the department, a county must formally request them from the commissioner and invite the commissioner or the commissioner's designee or designees into the county as necessary to provide those resources. The commissioner shall consult with the Association of Minnesota Counties and the Minnesota Association of County Veterans Service Officers in developing a list of resources available to counties in support of their county veterans service offices.

Subd. 2. **Use of agencies to present claims.** Every county veterans service officer and assistant county veterans service officer appointed under sections 197.60 to 197.606 shall use the Minnesota Department of Veterans Affairs or any organization recognized by the United States Department of Veterans Affairs, as may be designated by the veteran by power of attorney, in the presentation of claims to the United States Department of Veterans Affairs for the benefits referred to in section 197.603.

Subd. 3. MS 2008 [Repealed by amendment, 2010 c 333 art 2 s 17]

Subd. 4. **Certification.** The commissioner of veterans affairs shall establish a certification process for county veterans service officers. In doing so, the commissioner shall consult with the Minnesota Association of County Veterans Service Officers.

History: *1945 c 96 s 6; 1985 c 248 s 70; 1987 c 61 s 1; 2010 c 333 art 2 s 17; 2011 c 76 art 1 s 78*

197.606 CLASSED AS COUNTY EMPLOYEES.

County veterans service officers and assistant county veterans service officers appointed under sections 197.60 to 197.606 are employees of the counties by which they are employed, and are under the exclusive jurisdiction and control of those counties.

History: *1945 c 96 s 7; 2010 c 333 art 2 s 18*

197.607 [Expired]

197.608 VETERANS SERVICE OFFICE GRANT PROGRAM.

Subdivision 1. **Grant program.** A veterans service office grant program is established to be administered by the commissioner of veterans affairs consisting of grants to counties to enable them to enhance the effectiveness of their veterans service offices. "Commissioner" as used in this section means the commissioner of veterans affairs.

Subd. 2. **Rule development.** The commissioner shall consult with the Minnesota Association of County Veterans Service Officers in formulating rules to implement the grant program.

Subd. 2a. MS 2012 [Repealed, 2013 c 142 art 4 s 12]

Subd. 3. **Eligibility.** (a) To be eligible for a grant under subdivision 6, a county must employ a county veterans service officer as authorized by sections 197.60 and 197.606, who is certified to serve in this position by the commissioner.

(b) A county that employs a newly hired county veterans service officer who is serving an initial probationary period and who has not been certified by the commissioner is eligible to receive a grant under subdivision 6 for one year from the date the county veterans service officer is appointed.

(c) A county whose county veterans service officer does not receive certification by the end of the first year of the county veterans service officer's appointment is ineligible for the grant under subdivision 6 until the county veterans service officer receives certification.

Subd. 4. **Grant process.** (a) The commissioner shall determine the process for awarding grants. A grant may be used only for the purpose of enhancing the operations of the County Veterans Service Office.

(b) The commissioner shall provide a list of qualifying uses for grant expenditures as developed in subdivision 5 and shall approve a grant under subdivision 6 only for a qualifying use and if there are sufficient funds remaining in the grant program to cover the full amount of the grant.

(c) The commissioner is authorized to use any unexpended funding for this program for the following purposes:

(1) to provide training and education for county veterans service officers; and

(2) to provide additional grants on a competitive basis to any county that proposes to provide programs and services that the commissioner determines to be new and innovative in serving veterans and their families.

Subd. 5. **Qualifying uses.** The commissioner shall consult with the Minnesota Association of County Veterans Service Officers in developing a list of qualifying uses for grants awarded under subdivision 6.

Subd. 6. **Grant amount.** (a) Each county is eligible to receive an annual grant of $7,500 for the following purposes:

(1) to provide outreach to the county's veterans;

(2) to assist in the reintegration of combat veterans into society;

(3) to collaborate with other social service agencies, educational institutions, and other community organizations for the purposes of enhancing services offered to veterans;

(4) to reduce homelessness among veterans; and

(5) to enhance the operations of the county veterans service office.

(b) In addition to the grant amount in paragraph (a), each county is eligible to receive an additional annual grant under this paragraph. The amount of each additional annual grant must be determined by the commissioner and may not exceed:

(1) $0, if the county's veteran population is less than 1,000;

(2) $2,500, if the county's veteran population is 1,000 or more but less than 3,000;

(3) $5,000, if the county's veteran population is 3,000 or more but less than 5,000;

(4) $7,500, if the county's veteran population is 5,000 or more but less than 10,000;

(5) $10,000, if the county's veteran population is 10,000 or more but less than 20,000;

(6) $15,000, if the county's veteran population is 20,000 or more but less than 30,000; or

(7) $20,000, if the county's veteran population is 30,000 or more.

(c) The Minnesota Association of County Veterans Service Officers is eligible to receive an annual grant of $160,000. The grant must be used for administrative costs of the association, certification of mandated county veterans service officer training and accreditation, and costs associated with reintegration services. Up to $60,000 of this amount may be used to train technical assistance coordinators and for technical assistance coordinators to travel to consult with Minnesota counties on specific areas of expertise upon request. The Minnesota Association of County Veterans Service Officers executive board must select technical assistance coordinators, who are either county veterans service officers or assistant county veterans service officers, to serve for a minimum of one year.

(d) The veteran population of each county shall be determined by the figure supplied by the United States Department of Veterans Affairs, as adopted by the commissioner.

Subd. 7. **Recapture.** If a county fails to use the grant for the qualified use approved by the commissioner, the commissioner shall seek recovery of the grant from the county and the county must repay the grant amount.

History: *1993 c 192 s 79; 1993 c 366 s 5; 1Sp2003 c 1 art 2 s 65; 2005 c 156 art 4 s 8; 2011 c 76 art 1 s 78; 2013 c 142 art 4 s 2-6; 2022 c 54 art 2 s 2,3; 2025 c 30 art 2 s 10*

197.609 EDUCATION PROGRAM.

Subdivision 1. **Establishment and administration.** An education program for county veterans service officers is established to be administered by the commissioner of veterans affairs, with assistance and advice from the Minnesota Association of County Veterans Service Officers.

Subd. 2. **Eligibility.** To be eligible for the program in this section, a person must currently be employed as a county veterans service officer or assistant county veterans service officer, as authorized by sections 197.60 to 197.606, and be certified to serve in that position by the commissioner of veterans affairs or be serving a probationary period as authorized by section 197.60, subdivision 2.

Subd. 3. **Program content.** The program in this section must include but is not limited to informing county veterans service officers of the federal, state, and private benefits and services available to veterans, training them in procedures for applying for these benefits, updating them on the changes in these benefits and the eligibility criteria and application procedures, informing them of judicial and regulatory decisions involving veterans programs, training them in the legal procedures for appealing decisions disallowing benefits to veterans, and providing education, information, and training for any other aspects of the county veterans service officer position.

History: *1993 c 192 s 80; 2010 c 333 art 2 s 19,20; 2011 c 76 art 1 s 78*

197.6091 VETERANS BENEFITS SERVICES; DISCLOSURE REQUIREMENTS.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b)(1) "Advertising" or "advertisement" means any of the following:

(i) any written or printed communication made for the purpose of soliciting business for veterans benefits appeal services, including but not limited to a brochure, letter, pamphlet, newspaper, telephone listing, periodical, or other writing;

(ii) any directory listing caused or permitted by a person and made available by that person indicating that veterans benefits appeal services are being offered; or

(iii) any radio, television, computer network, or similar airwave or electronic transmission that solicits business for or promotes a person offering veterans benefits appeal services.

(2) "Advertising" or "advertisement" does not include any of the following:

(i) any printing or writing used on buildings, uniforms, or badges, where the purpose of the writing is for identification; or

(ii) any printing or writing in a memorandum or other communication used in the ordinary course of business where the sole purpose of the writing is other than soliciting business for veterans benefits appeal services.

(c) "Veterans benefits appeal services" means services that a veteran might reasonably require in order to appeal a denial of federal or state veterans benefits, including but not limited to denials of disability, limited income, home loan, insurance, education and training, burial and memorial, and dependent and survivor benefits.

(d) "Veterans benefits services" means services that a veteran or a family member of a veteran might reasonably use in order to obtain federal, state, or county veterans benefits.

(e) "Written disclosure statement" means the written disclosure statement developed by the commissioner of veterans affairs pursuant to section 196.05, subdivision 1.

Subd. 2. **Advertising disclosure requirements.** A person advertising veterans benefits appeal services must conspicuously disclose in the advertisement, in similar type size or voice-over, that veterans benefits appeal services are also offered at no cost by county veterans service officers under sections 197.603 and 197.604.

Subd. 3. **Veterans benefits services disclosure requirements.** A person who provides veterans benefits services in exchange for compensation shall provide a written disclosure statement to each client or prospective client. Before a person enters into an agreement to provide veterans benefits services or accepts money or any other thing of value for the provision of veterans benefits services, the person must obtain the signature of the client on a written disclosure statement containing an attestation by the client that the client has read and understands the written disclosure statement.

Subd. 4. **Violations; penalties.** A person who fails to comply with this section is subject to a civil penalty not to exceed $1,000 for each violation. Civil penalties shall be assessed by the district court in an action initiated by the attorney general. For the purposes of computing the amount of each civil penalty, each day of a continuing violation constitutes a separate violation. Additionally, the attorney general may accept a

civil penalty as determined by the attorney general in settlement of an investigation of a violation of this section regardless of whether an action has been filed under this section. Any civil penalty recovered shall be deposited in the Support Our Troops account established under section 190.19.

Subd. 5. **Nonapplicability.** This section does not apply to the owner or personnel of any medium in which an advertisement appears or through which an advertisement is disseminated.

History: *1Sp2017 c 4 art 4 s 5*

197.61 VETERANS SERVICE ORGANIZATIONS GRANT PROGRAM.

Subdivision 1. **Grant program.** A veterans service organization grant program is established to provide grants to congressionally chartered veterans service organizations (VSO) to enhance the effectiveness of veterans services. The program shall be administered by the commissioner of veterans affairs.

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

(b) "Accredited representation" means providing representation under the authority granted by the VA to representatives, agents, and attorneys to assist claimants in the preparation, presentation, and prosecution of claims for VA benefits.

(c) "Commissioner" means the commissioner of veterans affairs or a designee.

(d) "Congressionally chartered veterans service organizations" are organizations that have been granted charters by Congress through the enactment of public laws. Each congressionally chartered VSO is listed in United States Code, title 36, subtitle II: Patriotic and National Organizations.

(e) "Department" means the Department of Veterans Affairs.

(f) "Full member" means a veteran who meets the requirements for membership in a congressionally chartered veterans service organization and is entitled to all of the rights and privileges thereof. Full member does not include an associate or auxiliary member.

(g) "VA" means the United States Department of Veterans Affairs.

Subd. 3. **Eligibility.** To be eligible for a grant under subdivision 6, a veterans service organization must provide:

(1) accredited representation for the preparation and presentation of veteran claims to the United States government for compensation and other benefits to which a veteran is entitled as a result of the veteran's military service;

(2) a state or department level veterans service officer to provide programs and services to veterans; or

(3) statewide transportation services to veterans.

Subd. 4. **Grant process.** (a) A grant may be used only for the purpose of enhancing the operations of congressionally chartered veterans service organizations.

(b) The commissioner shall provide a list of qualifying uses for grant expenditures as required in subdivision 5 and shall approve a grant for a qualifying use if there is sufficient grant money remaining in the grant program to cover the full amount of the grant.

Subd. 5. **Qualifying uses.** The commissioner shall develop a list of qualifying uses for grants awarded under this section.

Subd. 6. **Grant amount.** (a) Each congressionally chartered veterans service organization is eligible to receive an annual grant determined by the commissioner as follows:

(1) a dollar amount per full member for each organization member to be established by the commissioner. The dollar amount may be adjusted every biennium, subject to available funding; and

(2) a dollar amount for each organization, established by the commissioner, based on the organization's share of the VA claims workload for veterans and their dependents who reside in Minnesota. The VA claims workload must be reported as a percentage of the state's total VA workload.

(b) The VA claims workload for each congressionally chartered veterans service organization must be determined by a report supplied by the VA, as adopted by the commissioner.

Subd. 7. **Recapture.** If a congressionally chartered veterans service organization fails to use the grant for a qualified use approved by the commissioner or does not spend the allocated grant money, the commissioner shall seek recovery of the grant from the organization and the organization must repay the grant amount or any unused grant money.

History: *2022 c 54 art 2 s 4*

197.63 VITAL RECORDS, CERTIFIED COPIES.

Subdivision 1. **Issuance without charge.** A certified copy of a birth, death, marriage, divorce, dissolution of marriage record, or certified copy of veteran's discharge recorded pursuant to section 386.20, shall be issued promptly by the officer charged with the keeping of the records upon the request of, and without any charge to, any veteran, the surviving spouse or next of kin of the veteran, a county veteran service officer appointed pursuant to section 197.60, or a service officer of any veterans organization chartered by the Congress of the United States or the Department of Veterans Affairs for use in the presentation of claims to the United States Veterans Administration or in connection with any veterans organization or the Department of Veterans Affairs. The word "veteran" as used in this section means any man or woman who is a veteran as defined in section 197.447, and who is a citizen of the United States or resident alien.

Subd. 2. **Payment of fees.** When the salary of the officer issuing a certified copy under this section consists in whole or in part of fees authorized by law, the officer's governmental subdivision shall pay the officer the legal fee therefor, and the governing body thereof is authorized and directed to order such payment made from the general revenue funds thereof.

History: *1945 c 19 s 1,2; 1947 c 169 s 1; 1953 c 699 s 9; 1976 c 2 s 73; 1984 c 609 s 17; 1986 c 444; 2015 c 21 art 1 s 109; 2024 c 100 s 16*

197.64 MS 1974 [Repealed, 1976 c 44 s 70]

197.65 RENEWAL OF PROFESSIONAL LICENSE, MOTOR VEHICLE REGISTRATION AND DRIVER'S LICENSE.

(a) The renewal of a license or certificate of registration for a person who is serving in or has recently been separated or discharged from active military service and who is required by law to be licensed or registered in order to carry on or practice a trade, employment, occupation, or profession in the state is governed under sections 326.55 and 326.56.

(b) The renewal of a driver's license for a person who is serving in or has recently been separated or discharged from active military service is governed under section 171.27.

(c) The renewal and payment of the motor vehicle registration tax for a vehicle of a person who is serving in or has recently been separated or discharged from active military service is governed under section 168.031.

History: *2004 c 279 art 1 s 26; 1Sp2005 c 6 art 3 s 84*

197.71 MS 1967 [Repealed, 1969 c 275 s 12]

197.72 MS 1967 [Repealed, 1969 c 275 s 12]

197.73 MS 1967 [Repealed, 1969 c 275 s 12]

197.74 MS 1967 [Repealed, 1969 c 275 s 12]

197.75 EDUCATIONAL ASSISTANCE; VETERANS' CHILDREN AND SPOUSES.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of veterans affairs.

(c) "Deceased veteran" means a veteran who has died as a result of the person's military service, as determined by the United States Department of Veterans Affairs or United States Department of Defense.

(d) "Eligible child" means a person who:

(1) is the natural or adopted child or stepchild of:

(i) a deceased veteran; or

(ii) a person who served as a prisoner of war or was declared a person missing in action, if the child was born or legally adopted by the person or was in the legal custody of the person before or during the period that the person served as a prisoner of war or was declared a person missing in action;

(2) is a student making satisfactory academic progress at an eligible institution of higher education;

(3) is a resident student, as defined in section 136A.101, subdivision 8; and

(4) has applied for educational assistance under this section before the end of the academic term for which the assistance is being requested.

(e) "Eligible institution" means a postsecondary educational institution located in this state that either is operated by this state, the Board of Regents of the University of Minnesota, or a Tribally controlled college or is licensed or registered with the Office of Higher Education.

(f) "Eligible spouse" means a person who:

(1) is the spouse or surviving spouse of:

(i) a deceased veteran, regardless of whether the surviving spouse remarries; or

(ii) a person who served as a prisoner of war or was declared a person missing in action;

(2) is a student making satisfactory academic progress at an eligible institution of higher education;

(3) is a resident student, as defined in section 136A.101, subdivision 8; and

(4) has applied for educational assistance under this section before the end of the academic term for which the assistance is being requested.

(g) "Prisoner of war" and "person missing in action" mean any person who, while serving in the United States armed forces, has been declared to be a prisoner of war or to be a person missing in action as established by the Secretary of Defense after August 1, 1958.

(h) "Public postsecondary educational institution" means an institution operated by the state or the Board of Regents of the University of Minnesota.

(i) "Satisfactory academic progress" has the meaning given in section 136A.101, subdivision 10.

(j) "Student" has the meaning given in section 136A.101, subdivision 7.

(k) "Surviving spouse" means a person who was legally married, as recognized by the state of Minnesota, to a veteran at the time of the veteran's death.

(l) "Tribally controlled college" has the meaning given in section 136A.1796, subdivision 1, paragraph (d).

(m) "Tuition and fees" means the tuition and fees charged by an institution.

(n) "Veteran" has the meaning given in section 197.447.

Subd. 2. **Benefits; eligibility.** (a) The commissioner of veterans affairs must spend a biennial appropriation to provide an educational assistance stipend of $750 each year for each eligible child and each eligible spouse. The stipend under this subdivision is not available for any person who has attained a bachelor's or equivalent degree.

(b) Each eligible child and each eligible spouse must be admitted to any eligible Minnesota public postsecondary educational institution free of tuition and fees until the person has attained a bachelor's or equivalent degree.

(c) After the commissioner approves of an applicant's eligibility for educational assistance, the applicant must be awarded a financial stipend on a funds-available basis. Payments of benefits authorized under this section must be made directly to the participating eligible institutions or to eligible individuals, as determined by the commissioner.

(d) Once a person qualifies as an eligible child under subdivision 1, paragraph (d), the person remains an eligible child, regardless of any change in circumstance, including:

(1) the return of the person's parent who was a prisoner of war or person missing in action; or

(2) the reported death of the person's parent who was a prisoner of war or person missing in action.

(e) Once a person qualifies as an eligible spouse under subdivision 1, paragraph (f), the person remains an eligible spouse, regardless of any change in circumstance, including:

(1) the return of the person's spouse who was a prisoner of war or person missing in action; or

(2) the reported death of the person's spouse who was a prisoner of war or person missing in action.

Subd. 3. **Proof of eligibility.** A person seeking approval for benefits under this section must submit the following evidence: an application, proof of military service, and, if applicable, proof of residency, proof of service-connected disability, or proof that the veteran died as a result of the veteran's military service as determined by the United States Department of Veterans Affairs or United States Department of Defense.

Upon submission of satisfactory proof of eligibility, benefits must be provided from the date of application and notification of approval must be sent to the educational institution and applicant.

Subd. 4. **Reimbursement form.** The commissioner shall establish policies and procedures for determining eligibility and payment under this section.

Subd. 5. **Participation by eligible institutions.** (a) Each Minnesota public postsecondary educational institution must continue to participate in the educational assistance program authorized in this section during both peacetime and times of war.

(b) Any participating eligible institution not described in paragraph (a) may suspend or terminate its participation in the program at the end of any academic semester or other academic term.

Subd. 6. MS 2006 [Repealed by amendment, 2007 c 45 art 2 s 3]

Subd. 7. **Reports.** (a) An eligible institution must submit an annual report by September 30 each year to the commissioner that describes:

(1) program activity and the number of students that the institution served under this section;

(2) enrollment and graduation data for all students awarded education benefits under this section; and

(3) the aggregate cost of tuition and awarded tuition waivers for students who received benefits under this section.

(b) A public or regionally accredited private postsecondary educational institution must provide information to eligible children and spouses according to this section and other information and links that are useful to students and parents who are in the process of selecting a college or university and on the institution's website by providing a veterans education benefits page with links to the federal and state veterans education benefits programs.

History: *1943 c 663 s 5; 1945 c 235 s 2; 1947 c 176 s 2,3; 1953 c 108 s 1; 1955 c 45 s 1; 1957 c 258 s 2; 1957 c 576 s 1,2; 1969 c 275 s 9,10; 1971 c 24 s 16; 1971 c 97 s 1-3; 1973 c 349 s 2; 1975 c 321 s 2; 1980 c 614 s 99; 1983 c 335 s 1; 1987 c 258 s 12; 1989 c 246 s 2; 1990 c 444 s 2; 1Sp1995 c 3 art 16 s 13; 1Sp2001 c 10 art 2 s 68,69; 2003 c 130 s 12; 2004 c 256 art 2 s 3,4; 2007 c 45 art 2 s 3; 2010 c 333 art 2 s 21; 2015 c 69 art 2 s 44; 2025 c 30 art 2 s 11; 2026 c 49 s 1-5*

197.751 MS 1967 [Repealed, 1969 c 275 s 12]

197.752 MS 2024 [Repealed, 2026 c 49 s 7]

197.76 MS 1967 [Repealed, 1969 c 275 s 12]

197.77 MS 1967 [Repealed, 1969 c 275 s 12]

197.775 HIGHER EDUCATION FAIRNESS.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of veterans affairs.

(c) "State college or university" means a unit of the University of Minnesota or Minnesota State Colleges and Universities.

(d) "Veteran" includes the definition provided in section 197.447, and also includes any person serving in active service, as defined in section 190.05, subdivision 5.

Subd. 2. **Recognition of courses.** (a) Minnesota State Colleges and Universities must recognize courses and award educational credits for courses that were part of a veteran's military training or service if the courses meet the standards of the American Council on Education or equivalent standards for awarding academic credits. In recognizing courses and awarding educational credits, consideration must be given to academic skills developed in all aspects of the training or service course curriculum, and may not be limited solely to the physical fitness or activity components of the course.

(b) The University of Minnesota and private colleges and universities in Minnesota are encouraged to recognize courses and award educational credits for courses that were part of a veteran's military training or service if the courses meet the standards of the American Council on Education or equivalent standards for awarding academic credits. In recognizing courses and awarding educational credits, the University of Minnesota and private colleges and universities in Minnesota are encouraged to consider academic skills developed in all aspects of the training or service course curriculum, and not limit consideration solely to the physical fitness or activity components of the course.

Subd. 2a. **Recognition of veteran status.** (a) With the policy in this subdivision, the state recognizes veterans' selfless sacrifices in service to our nation, and their varied and specialized military education and training, as well as the need for their timely and meaningful reintegration into civilian society. The state also recognizes the special value of veterans in furthering the goal of creating a diverse student population in the state's postsecondary institutions.

(b) Minnesota State Colleges and Universities must adopt a policy recognizing, for applicants who are veterans, the applicant's veteran status as a positive factor in determining whether to grant admission to a graduate or professional academic degree program. The Board of Trustees must report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over higher education policy and finance annually by February 15 on the number of veterans who apply for a graduate or professional academic degree program and the number accepted.

(c) The University of Minnesota, and private colleges and universities in Minnesota, are encouraged to adopt a policy recognizing, for applicants who are veterans, the applicant's veteran status as a positive factor in determining whether to grant admission to an undergraduate, graduate, or professional academic degree program.

Subd. 3. **Tuition status.** A state college or university must treat a veteran as a Minnesota resident for purposes of determining the veteran's undergraduate tuition rate. A state college or university must treat a veteran as a Minnesota resident for purposes of determining the veteran's graduate school tuition rate if the veteran was a Minnesota resident on entering military service and starts attending the state college or university graduate program within two years of completing military service.

Subd. 4. **Delayed payment of tuition.** A state college or university may not assess late fees or other late charges for veterans who are eligible to receive federal or state educational assistance and who have applied for that assistance but not yet received it, nor may they prevent these students from registering for a subsequent term because of outstanding tuition charges that arise from delayed federal or state payments. The state college or university may request without delay the amount of tuition above expected federal and state educational assistance and may require payment of the full amount of tuition owed by the veteran within 30 days of receipt of the expected federal or state educational assistance.

History: *2006 c 273 s 9; 2007 c 144 art 2 s 48; 2013 c 99 art 2 s 21-23*

197.78 STATE EDUCATIONAL PROGRAMS UNAVAILABLE THROUGH FEDERAL PROGRAMS.

Subdivision 1. **Commissioner's duties.** The commissioner of veterans affairs shall foster and support educational programs for the benefit of veterans to assure that no Minnesotan shall be deprived of earned veterans benefits by virtue of the unavailability of programs for which the veteran is entitled to enroll and receive subsistence, tuition, and other benefits under federal programs. It shall be the responsibility of the commissioner to measure the demand for veterans service educational programs based on the criteria mandated by federal veterans benefits laws and to authorize, promote, and make grants within appropriated amounts to assure such program availability.

Subd. 2. MS 1978 [Repealed, 1979 c 335 s 18]

History: *1973 c 580 s 1; 1977 c 449 s 19; 1986 c 444; 1998 c 398 art 5 s 55; 2003 c 130 s 12; 2004 c 256 art 1 s 4*

197.781 VETERANS TRAINING PROGRAM.

The commissioner of veterans affairs shall administer the veterans training program. Money in the veterans training revolving fund for the veterans training program is appropriated to the commissioner to pay the necessary expenses of operating the program. The department must act as the state agency for approving educational institutions for purposes of United States Code, title 38, chapter 36, relating to educational benefits for veterans and other persons and it may adopt rules to fulfill its obligations as the state approving agency. All federal money received for purposes of the veterans training program must be deposited in the veterans training revolving fund.

History: *2004 c 256 art 1 s 5*

197.79 VETERANS BONUS PROGRAM.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Applicant" means a veteran or a veteran's guardian, conservator, or personal representative or a beneficiary or a beneficiary's guardian, conservator, or personal representative who has filed an application with the commissioner for a bonus under this section.

(b) "Application" means a request for a bonus payment by a veteran, a veteran's beneficiary, or a veteran's guardian, conservator, or personal representative through submission of written information on a form designed by the commissioner for this purpose.

(c) "Beneficiary" means in relation to a deceased veteran and in the order named:

(1) the surviving spouse, if not remarried;

(2) the children of the veteran, if there is no surviving spouse or the surviving spouse has remarried;

(3) the veteran's surviving parent or parents;

(4) the veteran's surviving sibling or siblings; or

(5) the veteran's estate.

(d) "Commissioner" means the commissioner of the Department of Veterans Affairs.

(e) "Department" means the Department of Veterans Affairs.

(f) "Eligibility period for the bonus" means the period from September 11, 2001, to August 30, 2021.

(g) "Guardian" or "conservator" means the legally appointed representative of a minor or incapacitated beneficiary or veteran, the chief officer of a hospital or institution in which the incapacitated veteran is placed if the officer is authorized to accept money for the benefit of the minor or incapacitated veteran, the person determined by the commissioner to be the person who is legally charged with the responsibility for the care of the minor or incapacitated beneficiary or veteran, or the person determined by the commissioner to be the person who has assumed the responsibility for the care of the minor or incapacitated beneficiary or veteran.

(h) "Honorable service" means honorable federal service in the United States armed forces, as evidenced by:

(1) an honorable discharge;

(2) a general discharge under honorable conditions;

(3) in the case of an officer, a certificate of honorable service; or

(4) in the case of an applicant who is currently serving in active duty in the United States armed forces, a certificate from an appropriate service authority that the applicant's service to date has been honorable.

(i) "Incapacitated person" means an individual who, for reasons other than being a minor, lacks sufficient understanding or the capacity to make personal decisions and who is unable to meet the individual's own personal needs for medical care, nutrition, clothing, shelter, or safety even when assisted by appropriate technology or supported decision making.

(j) "Resident veteran" means a veteran who served in active duty in the United States armed forces at any time during the eligibility period for the bonus, and who also:

(1) has been separated or discharged from the United States armed forces and resides in Minnesota at the time of application with the intention of residing in the state and not for any temporary purpose. An applicant may verify a residence address by presenting a valid state driver's license; a state identification card; a voter registration card; a rent receipt; a statement by the landlord, apartment manager, or homeowner verifying that the individual is residing at the address; or other form of verification approved by the commissioner; or

(2) is currently serving in the United States armed forces, and has a certificate from an appropriate service authority stating that the person: (i) served in active duty in the United States armed forces at any time during the eligibility period for the bonus; and (ii) has Minnesota listed as the veteran's home of record in the veteran's official military personnel file.

(k) "Service connected" means caused by an injury or disease incurred or aggravated while on active duty, as determined by the United States Department of Veterans Affairs.

(l) "Veteran" has the meaning given in section 197.447 and does not include a member of the National Guard or the reserve components of the United States armed forces ordered to active duty for the sole purpose of training. Veteran also includes a person who is providing honorable service on active duty in the United States armed forces and has not been separated or discharged.

Subd. 2. **Bonus amount.** (a) For a resident veteran who provided honorable service in the United States armed forces at any time during the eligibility period for the bonus, the bonus amount is:

(1) $600, if the veteran did not receive the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus;

(2) $1200, if the veteran received the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus; or

(3) $2,000, if the veteran was eligible for the Armed Forces Expeditionary Medal, Global War on Terrorism Expeditionary Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, or Inherent Resolve Campaign Medal during the eligibility period for the bonus, and died during that time period as a direct result of a service connected injury, disease, or condition.

(b) In the case of a deceased veteran, the commissioner shall pay the bonus to the veteran's beneficiary.

Subd. 3. **Application process.** A veteran, or the beneficiary of a veteran, entitled to a bonus may make application for a bonus to the department as prescribed by the commissioner and verified by the applicant. If the veteran is incapacitated or the veteran's beneficiary is a minor or incapacitated, the application must be made by the person's guardian or conservator. An application must be accompanied by evidence of residency, honorable service, active duty service during the eligibility period for the bonus, and any other information the commissioner requires. The applicant must indicate on the application form the bonus amount for which the applicant expects to be eligible.

If the information provided in the application is incomplete, the department must notify the applicant in writing of that fact and must identify the items of information needed to make a determination. After notifying an applicant that the person's application is incomplete, the department shall hold the application open for up to 120 days while awaiting further information from the applicant, and the applicant may submit that information within the 120-day period without filing an appeal and request for review.

Subd. 4. **Bonus determination, appeal process, and payment.** (a) Except as provided in paragraphs (b) to (d), the commissioner may not make a bonus payment to any applicant.

(b) Upon submission of proof to the department that an applicant is entitled to payment under this section, the department shall determine the amount of the bonus for which the applicant is eligible. If the department's determination of the bonus amount is in agreement with, or is greater than, the amount requested by the applicant in the application, the commissioner shall pay to the applicant the bonus amount, as determined by the department.

(c) If the department determines that the bonus amount for an applicant is less than the amount requested in the application, the department shall notify the applicant in writing of its determination, and include with that notification a form that the applicant may use to accept the department's determination and thereby waive the right to review of that determination. A filing by the applicant of the acceptance and waiver form with the department constitutes a waiver by the applicant of the right to review. Upon receipt of such acceptance and waiver from the applicant, the department shall pay to the applicant the bonus amount, as determined by the department. Unless an appeal is filed with the commissioner by an applicant in accordance with paragraph (d), all orders, decisions, and acts of the department with reference to the claim of the applicant are final and conclusive upon the applicant.

(d) Upon notification that the department's determination of the bonus amount is less than the bonus amount requested by the applicant in the application, the applicant may appeal the department's determination and request a review by the commissioner. The appeal and request for review must be made in writing within

60 days of the department's mailing of its determination. Following receipt by the department of an applicant's appeal and request for review by the commissioner, no payment shall be made by the department to the applicant until the review has been completed. For such review, the applicant may submit additional information to supplement the information provided in the application, and may request that the review be conducted either: (1) through written correspondence; or (2) in person with the commissioner. The commissioner shall act upon an appeal and request for review within seven working days of its receipt by the department. Following review by the commissioner of the application and any additional information submitted or presented by the applicant, the commissioner's determination is final. Any expenses incurred by the applicant as the result of the applicant's appeal and request for review are the obligation of the applicant.

Subd. 5. **Notices.** Notices and correspondence to an applicant must be directed to the applicant by mail at the address listed in the application or electronically. Notices and correspondence to the commissioner must be addressed to the commissioner's office or the designated department system.

Subd. 6. **Powers and duties of commissioner.** (a) The commissioner shall determine who is the beneficiary of a deceased veteran and determine who is the person who has assumed the responsibility for the care of any minor or incompetent.

(b) The commissioner may employ persons and may incur other expenses necessary to administer this section.

Subd. 7. **Tax exempt gifts.** The bonus payments provided for by this section are gifts or gratuities given as a token of appreciation to eligible veterans and are not compensation for services rendered. The payments are exempt from state taxation.

Subd. 8. **Nonassignable; excepted from process.** A claim for payment under this section is not assignable or subject to garnishment, attachment, or levy of execution.

Subd. 9. **Penalties.** A person who knowingly makes a false statement relating to a material fact in support of a claim for a bonus under this section is guilty of a misdemeanor.

Subd. 10. **Deadline for applications.** The application period for the bonus program established in this section shall be July 1, 2022, to June 30, 2024. The department may not receive or accept new applications after June 30, 2024.

Subd. 11. **Reapplication allowed.** Notwithstanding any law to the contrary, an eligible veteran who previously applied for a bonus under this section may reapply if the veteran either was denied a bonus or is entitled to receive a larger bonus than was originally awarded based on the amendments to this section contained in Laws 2023, chapter 38.

History: *1997 c 202 art 2 s 42; 1998 c 258 s 1; 1999 c 250 art 1 s 83; 2022 c 54 art 2 s 5-9; 2023 c 38 art 2 s 1-3*

197.791 MINNESOTA GI BILL PROGRAM.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of veterans affairs, unless otherwise specified.

(c) "Cost of attendance" for undergraduate students has the meaning given in section 136A.121, subdivision 6, multiplied by a factor of 1.2. Cost of attendance for graduate students has the meaning given in section 136A.121, subdivision 6, multiplied by a factor of 1.2, using the tuition and fee maximum

established by law for four-year programs. For purposes of calculating the cost of attendance for graduate students, full time is eight credits or more per term or the equivalent.

(d) "Child" means a natural or adopted child of a person described in subdivision 4, paragraph (a), clause (1), item (i) or (ii).

(e) "Eligible institution" means a postsecondary institution under section 136A.101, subdivision 4, or a graduate school licensed or registered with the state of Minnesota serving only graduate students.

(f) "Program" means the Minnesota GI Bill program established in this section, unless otherwise specified.

(g) "Time of hostilities" means any action by the armed forces of the United States that is recognized by the issuance of a presidential proclamation or a presidential executive order in which the armed forces expeditionary medal or other campaign service medals are awarded according to presidential executive order, and any additional period or place that the commissioner determines and designates, after consultation with the United States Department of Defense, to be a period or place where the United States is in a conflict that places persons at such a risk that service in a foreign country during that period or in that place should be considered to be included.

(h) "Veteran" has the meaning given in section 197.447. Veteran also includes a service member who has received an honorable discharge after leaving each period of federal active duty service and has:

(1) served 90 days or more of federal active duty in a foreign country during a time of hostilities in that country; or

(2) been awarded any of the following medals:

(i) Armed Forces Expeditionary Medal;

(ii) Kosovo Campaign Medal;

(iii) Afghanistan Campaign Medal;

(iv) Iraq Campaign Medal;

(v) Global War on Terrorism Expeditionary Medal; or

(vi) any other campaign medal authorized for service after September 11, 2001; or

(3) received a service-related medical discharge from any period of service in a foreign country during a time of hostilities in that country.

A service member who has fulfilled the requirements for being a veteran under this paragraph but is still serving actively in the United States armed forces is also a veteran for the purposes of this section.

Subd. 2. **Program established.** The Minnesota GI Bill program is established to provide postsecondary educational assistance, apprenticeship and on-the-job training benefits, and other professional and educational benefits to eligible Minnesota veterans and to the children and spouses of deceased and severely disabled Minnesota veterans.

The commissioner, in cooperation with eligible postsecondary educational institutions, shall administer the program for the purpose of providing postsecondary educational assistance to eligible persons in accordance with this section. Each public postsecondary educational institution in the state must participate in the program and each private postsecondary educational institution in the state is encouraged to participate

in the program. Any participating private institution may suspend or terminate its participation in the program at the end of any semester or other academic term.

Subd. 3. **Duties; responsibilities.** (a) The commissioner shall establish policies and procedures including, but not limited to, procedures for student application record keeping, information sharing, payment of educational assistance benefits under subdivision 5, payment of apprenticeship or on-the-job training benefits under subdivision 5a, payment of other educational or professional benefits under subdivision 5b, and other procedures the commissioner considers appropriate and necessary for effective and efficient administration of the program established in this section.

(b) The commissioner may delegate part or all of the administrative procedures for the program to responsible representatives of participating eligible institutions. The commissioner may execute an interagency agreement with the Minnesota Office of Higher Education for services the commissioner determines necessary to administer the program.

Subd. 4. **Eligibility.** (a) A person is eligible for educational assistance under subdivision 5 if:

(1) the person is:

(i) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(ii) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(iii) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended, except that remarriage does not terminate a surviving spouse's eligibility; or

(iv) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; and

(2) the person receiving the educational assistance is a Minnesota resident, as defined in section 136A.101, subdivision 8; and

(3) the person receiving the educational assistance:

(i) is an undergraduate or graduate student at an eligible institution;

(ii) is maintaining satisfactory academic progress as defined by the institution for students participating in federal Title IV programs;

(iii) is enrolled in an education program leading to a certificate, diploma, or degree at an eligible institution;

(iv) has applied for educational assistance under this section prior to the end of the academic term for which the assistance is being requested;

(v) is in compliance with child support payment requirements under section 136A.121, subdivision 2, clause (5); and

(vi) has completed the Free Application for Federal Student Aid (FAFSA).

(b) A person's eligibility terminates when the person becomes eligible for benefits under section 135A.52.

(c) To determine eligibility, the commissioner may require official documentation, including the person's federal form DD-214 or other official military discharge papers; correspondence from the United States Veterans Administration; birth certificate; marriage certificate; proof of enrollment at an eligible institution; signed affidavits; proof of residency; proof of identity; or any other official documentation the commissioner considers necessary to determine eligibility.

(d) The commissioner may deny eligibility or terminate benefits under this section to any person who has not provided sufficient documentation to determine eligibility for the program. An applicant may appeal the commissioner's eligibility determination or termination of benefits in writing to the commissioner at any time. The commissioner must rule on any application or appeal within 30 days of receipt of all documentation that the commissioner requires. The decision of the commissioner regarding an appeal is final. However, an applicant whose appeal of an eligibility determination has been rejected by the commissioner may submit an additional appeal of that determination in writing to the commissioner at any time that the applicant is able to provide substantively significant additional information regarding the applicant's eligibility for the program. An approval of an applicant's eligibility by the commissioner following an appeal by the applicant is not retroactively effective for more than one year or the semester of the person's original application, whichever is later.

(e) Upon receiving an application with insufficient documentation to determine eligibility, the commissioner must notify the applicant within 30 days of receipt of the application that the application is being suspended pending receipt by the commissioner of sufficient documentation from the applicant to determine eligibility.

Subd. 5. **Educational assistance.** (a) On approval by the commissioner of eligibility for the program, the applicant shall be awarded, on a funds-available basis, the educational assistance under the program for use at any time according to program rules at any eligible institution.

(b) The amount of educational assistance in any semester or term for an eligible person must be determined by subtracting from the eligible person's cost of attendance the amount the person received or was eligible to receive in that semester or term from:

(1) the federal Pell Grant;

(2) the state grant program under section 136A.121; and

(3) any federal military or veterans educational benefits including but not limited to the Montgomery GI Bill, GI Bill Kicker, the federal tuition assistance program, vocational rehabilitation benefits, and any other federal benefits associated with the person's status as a veteran, except veterans disability payments from the United States Department of Veterans Affairs.

(c) The amount of educational assistance for any eligible person who is a student must not exceed the following:

(1) $5,000 per state fiscal year; and

(2) $15,000 in a lifetime.

Subd. 5a. MS 2020 [Renumbered subdivision 6]

Subd. 5b. MS 2020 [Renumbered subdivision 7]

Subd. 6. MS 2020 [Renumbered subdivision 8]

Subd. 6. **Apprenticeship and on-the-job training.** (a) The commissioner, in consultation with the commissioners of employment and economic development and labor and industry, shall develop and implement an apprenticeship and on-the-job training program to administer a portion of the Minnesota GI Bill program to pay benefit amounts to eligible persons, as provided in this subdivision.

(b) An "eligible employer" means an employer operating a qualifying apprenticeship or on-the-job training program that has been approved by the commissioner.

(c) A person is eligible for apprenticeship and on-the-job training assistance under this subdivision if the person is:

(1) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(2) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(3) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

(4) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended.

(d) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following:

(1) $3,000 per fiscal year for apprenticeship expenses;

(2) $3,000 per fiscal year for on-the-job training;

(3) $1,000 for a job placement credit payable to an eligible employer upon hiring and completion of six consecutive months' employment of a person receiving assistance under this subdivision; and

(4) $1,000 for a job placement credit payable to an eligible employer after a person receiving assistance under this subdivision has been employed by the eligible employer for at least 12 consecutive months as a full-time employee.

(e) No more than $5,000 in aggregate benefits under this subdivision may be paid to or on behalf of an individual in one fiscal year.

(f) If an eligible person receives benefits under subdivision 5 or 5b, the eligible person's aggregate benefits under this subdivision and subdivisions 5 and 5b must not exceed $15,000 in the eligible person's lifetime.

(g) Assistance for apprenticeship expenses and on-the-job training is available for qualifying programs, which must, at a minimum, meet the following criteria:

(1) the training must be with an eligible employer;

(2) the training must be documented and reported;

(3) the training must reasonably be expected to lead to an entry-level position; and

(4) the position must require at least six months of training to become fully trained.

Subd. 7. **Additional professional or educational benefits.** (a) The commissioner shall develop and implement a program to administer a portion of the Minnesota GI Bill program to pay additional benefit amounts to eligible persons as provided under this subdivision.

(b) A person is eligible for additional benefits under this subdivision if the person is:

(1) a veteran who is serving or has served honorably in any branch or unit of the United States armed forces at any time;

(2) a nonveteran who has served honorably for a total of five years or more cumulatively as a member of the Minnesota National Guard or any other active or reserve component of the United States armed forces, and any part of that service occurred on or after September 11, 2001;

(3) the surviving spouse or child of a person who has served in the military and who has died as a direct result of that military service, only if the surviving spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended; or

(4) the spouse or child of a person who has served in the military at any time and who has a total and permanent service-connected disability as rated by the United States Veterans Administration, only if the spouse or child is eligible to receive federal education benefits under United States Code, title 38, chapter 33, as amended, or United States Code, title 38, chapter 35, as amended.

(c) The amount of assistance paid to or on behalf of an eligible individual under this subdivision must not exceed the following amounts:

(1) $3,000 per state fiscal year; and

(2) $15,000 in a lifetime.

(d) If an eligible person receives benefits under subdivision 5 or 5a, the eligible person's aggregate benefits under this subdivision and subdivisions 5 and 5a must not exceed $15,000 in the eligible person's lifetime.

(e) A person eligible under this subdivision may use the benefit amounts for the following purposes:

(1) licensing or certification tests, the successful completion of which demonstrates an individual's possession of the knowledge or skill required to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession, provided that the tests and the licensing or credentialing organizations or entities that offer the tests are approved by the commissioner;

(2) tests for admission to institutions of higher learning or graduate schools;

(3) national tests providing an opportunity for course credit at institutions of higher learning;

(4) a preparatory course for a test that is required or used for admission to an institution of higher education or a graduate program; and

(5) any fee associated with the pursuit of a professional or educational objective specified in clauses (1) to (4).

Subd. 8. **Appropriation.** The amount necessary to pay the benefit amounts in subdivisions 5, 6, and 7, and section 197.75 is appropriated from the general fund to the commissioner. During any fiscal year beginning on or after July 1, 2012, the amount paid under this subdivision must not exceed $6,000,000.

History: *2007 c 144 art 2 s 49; 2008 c 297 art 2 s 14-16; 2009 c 94 art 3 s 16; 2012 c 292 art 4 s 12,13; 2013 c 142 art 4 s 7,8; 1Sp2017 c 4 art 4 s 6-10; 2018 c 156 s 1-4; 1Sp2021 c 12 art 3 s 5-8,15; 2023 c 38 art 2 s 4-6; 2025 c 30 art 2 s 12; 2026 c 49 s 6*

197.792 FORFEITURE OF BENEFITS.

An individual who is a veteran, as defined under section 197.447, or a former member of the armed forces does not qualify for state-funded veterans benefits, services, or programs under chapters 196 to 198 if the United States Department of Veterans Affairs has determined that the individual has forfeited the individual's entitlement to federal benefits according to United States Code, title 38, chapter 61.

History: *2026 c 50 s 2*

197.80 MS 1961 [Repealed, 1965 c 45 s 73]

197.81 MS 1961 [Repealed, 1965 c 45 s 73]

197.82 MS 1961 [Repealed, 1965 c 45 s 73]

197.83 MS 1961 [Repealed, 1965 c 45 s 73]

197.84 MS 1961 [Repealed, 1965 c 45 s 73]

197.85 MS 1961 [Repealed, 1965 c 45 s 73]

197.851 MS 1961 [Repealed, 1965 c 45 s 73]

197.852 MS 1961 [Repealed, 1965 c 45 s 73]

197.86 MS 1961 [Repealed, 1965 c 45 s 73]

197.87 MS 1961 [Repealed, 1965 c 45 s 73]

197.88 MS 1961 [Repealed, 1965 c 45 s 73]

197.89 MS 1961 [Repealed, 1965 c 45 s 73]

197.90 MS 1961 [Repealed, 1965 c 45 s 73]

197.91 MS 1961 [Repealed, 1965 c 45 s 73]

197.92 MS 1961 [Repealed, 1965 c 45 s 73]

197.93 MS 1961 [Repealed, 1965 c 45 s 73]

197.94 MS 1961 [Repealed, 1965 c 45 s 73]

197.95 MS 1961 [Repealed, 1965 c 45 s 73]

197.96 MS 1961 [Repealed, 1965 c 45 s 73]

197.97 MS 1961 [Repealed, 1965 c 45 s 73]

197.971 MS 1994 [Repealed, 1996 c 310 s 1]

197.972 MS 1994 [Repealed, 1996 c 310 s 1]

197.973 MS 1994 [Repealed, 1996 c 310 s 1]

197.974 MS 1994 [Repealed, 1996 c 310 s 1]

197.975 MS 1994 [Repealed, 1996 c 310 s 1]

197.976 MS 1994 [Repealed, 1996 c 310 s 1]

197.977 MS 1994 [Repealed, 1996 c 310 s 1]

197.978 MS 1994 [Repealed, 1996 c 310 s 1]

197.979 MS 1994 [Repealed, 1996 c 310 s 1]

197.98 MS 1994 [Repealed, 1996 c 310 s 1]

197.981 MS 1994 [Repealed, 1996 c 310 s 1]

197.982 MS 1994 [Repealed, 1996 c 310 s 1]

197.983 MS 1994 [Repealed, 1996 c 310 s 1]

197.984 MS 1994 [Repealed, 1996 c 310 s 1]

197.985 MS 1994 [Repealed, 1996 c 310 s 1]

197.986 MS 1994 [Repealed, 1996 c 310 s 1]

197.987 HONOR AND REMEMBER FLAG.

Subdivision 1. **Legislative findings.** The legislature of the state of Minnesota finds and determines that:

(1) since the Revolutionary War, more than 1,000,000 members of the United States armed forces have paid the ultimate price by sacrificing their lives in active military service for the United States of America;

(2) the contribution made by those fallen members of the armed forces is deserving of state and national recognition; and

(3) the Honor and Remember Flag is an appropriate symbol that acknowledges the selfless sacrifice of those members of the United States armed forces.

Subd. 2. **Designation.** The Honor and Remember Flag described in subdivision 3 is designated as the symbol of our state's concern and commitment to honoring and remembering the lives of all members of the United States armed forces who have lost their lives in the line of duty while serving honorably in active military service in the United States armed forces or of a service-connected cause due to or aggravated by that service, as determined by the United States Department of Defense or the United States Department of

Veterans Affairs. This designation is contingent on the flag being available for purchase at a reasonable price.

Subd. 3. **Description.** The Honor and Remember Flag shall conform substantially to the following description: The Honor and Remember Flag is the same standard proportions as the flag of the United States of America. Its design contains a red field that occupies the top three-quarters and a white field that occupies the bottom quarter of the flag. In the center of the red field is a five-pointed, gold star with the top point located near the top of the red field and the two bottom points extending about one-quarter of the way into the white field. The gold star has a white border surrounded by a blue border. Between the two bottom points of the star is a tri-folded American flag displaying the blue field and some stars, which is the configuration of the American flag presented to the family of the deceased at a military memorial service. At the top of the tri-folded flag, extending into the center of the gold star, is a stylized, three-part flame, with one blue part and two red parts. In the white field below the tri-folded flag, the words "Honor and Remember" are centered. The Honor and Remember Flag is protected by U.S. copyright, registration number VA0001670661, owned by Honor and Remember, Inc.

Subd. 4. **Suggested days for flag display.** (a) The chief administrator of each governmental building or facility within this state, as defined in paragraph (b), is encouraged to display the Honor and Remember Flag on the following days each year:

(1) Armed Forces Day, the third Saturday in May;

(2) Flag Day, June 14;

(3) July 2nd and July 3rd, in remembrance of the 262 soldiers of the 1st Regiment Minnesota Volunteer Infantry who, at the Battle of Gettysburg during the American Civil War, fought so gallantly and successfully to repulse two major Confederate attacks on the main Union line, suffering over 80 percent casualties, thereby turning the battle and the war and helping to preserve the Union itself at that pivotal moment in our nation's history;

(4) July 4th, Independence Day;

(5) the third Friday of September, National POW/MIA Recognition Day;

(6) November 11, Veterans Day;

(7) July 27, Korean War Armistice Day;

(8) March 29, Vietnam Veterans Day; and

(9) any day on which the United States flag is displayed at a governmental building or facility within this state.

(b) For purposes of this section, "governmental building or facility within this state" means the following locations:

(1) the Minnesota State Capitol, the Office of the Governor and each other Minnesota constitutional office, the chambers of the Minnesota Senate and the Minnesota House of Representatives, the Minnesota Judicial Center and each Minnesota District Court House, any official state of Minnesota veterans memorial, Minnesota veterans home, Minnesota veterans cemetery, state veterans service centers, and state veterans community-based outreach centers; and

(2) any appropriate local government building or facility, as determined by the governing body of that local government.

Subd. 5. **Limitation.** This section may not be construed or interpreted to require any employee to report to work solely for the purpose of providing for the display of the Honor and Remember Flag or any other flag.

Subd. 6. **Implementation.** If a governmental building or facility within this state opts to display the Honor and Remember Flag, the chief administrator of that facility shall prescribe procedures necessary for the display.

Subd. 7. **Flag donation.** Notwithstanding sections 10A.071 and 471.895, any named public office or public official may accept a donation of one or more Honor and Remember Flags for the purpose of this section.

History: *2015 c 77 art 3 s 7*

197.988 PURPLE HEART COUNTY; PURPLE HEART CITY.

A county or statutory or home rule charter city may by resolution designate the county or city as a Purple Heart County or Purple Heart City to honor United States military personnel who have received the Purple Heart. A Purple Heart city or county may designate a prominent parking space at city hall or the county government center as a "Reserved for a Purple Heart Recipient" parking space. A Purple Heart city or county may accept donations to pay for a sign that states that the city or county is a Purple Heart city or county, and to pay for a plaque to be displayed on public property. A Purple Heart city or county may honor Purple Heart recipients by resolution proclaiming August 7 as Purple Heart Day.

History: *2018 c 139 s 1*

197.991 KOREAN WAR ARMISTICE DAY.

Subdivision 1. **Purpose.** When communist North Korean troops invaded South Korea on June 25, 1950, the United States took immediate action to defend the freedom of a people unjustly attacked. Leading a coalition of 20 other nations, American and South Korean troops fought to advance liberty and opportunity, and to overcome cruelty and repression. More than 1.7 million members of the United States armed forces faced forbidding terrain, harsh weather, and brutal combat while demonstrating extraordinary honor, skill, and courage to beat back the invading enemy forces. More than 34,000 American men and women, including over 700 Minnesotans, sacrificed their lives in battle during that war. Another 92,000 American troops were wounded, and more than 8,000 have been listed as missing in action or taken prisoner.

The Military Armistice Agreement of July 27, 1953, ended the three years of bitter warfare stopping the spread of communism on the Korean Peninsula and signaling to the world America's resolve to stand against tyrannical and totalitarian regimes. Today, South Korea stands as a shining example of the economic and social benefits of democracy.

The purpose of this section is to perpetually honor the brave men and women, living and dead, who comprise America's Korean War veterans.

Subd. 2. **Designation.** July 27 of each year is designated as Korean War Armistice Day in Minnesota.

History: *2008 c 265 s 1*

197.995 VIETNAM VETERANS DAY.

Subdivision 1. **Purpose.** 1,072 of the people whose names are listed on the Vietnam Memorial Wall in Washington, D.C., were from the state of Minnesota. Many other Minnesotans are surviving Vietnam veterans. This section is enacted as a way for Minnesotans to show their pride and gratitude, recall the veterans' accomplishments, and thank Minnesota's Vietnam veterans for their unselfish devotion to duty.

Subd. 2. **Designation.** March 29 is Vietnam Veterans Day in Minnesota.

History: *2008 c 164 s 1*

197.996 AMERICAN LEGION DAY.

Subdivision 1. **Purpose.** The American Legion was chartered by Congress on September 16, 1919. This section is enacted to recognize the millions of American Legion veterans who have dedicated and continue to dedicate themselves to service of community, state, and nation. This section expresses the appreciation of Minnesotans for that service, on the occasion of the Legion's 90th year of existence and each year thereafter on the anniversary of its charter date.

Subd. 2. **Dedication.** September 16 is American Legion Day in Minnesota.

History: *2010 c 185 s 1*

197.9961 VETERANS OF FOREIGN WARS.

Subdivision 1. **Purpose.** The Veterans of Foreign Wars was founded in 1899 and was federally chartered by the Congress of the United States of America on May 28, 1936. This section is a way for Minnesotans to recognize and express their appreciation for the millions of veterans of foreign wars who have dedicated themselves, and continue to dedicate themselves, to serving their community, state, and nation, on the occasion of the 111th year of existence of the Veterans of Foreign Wars and every year hereafter on its anniversary date.

Subd. 2. **Dedication.** May 28 is Veterans of Foreign Wars Day in Minnesota.

History: *2010 c 244 s 1*