

Chapter 100

2024 Regular Session

Subject Veterans and Military Affairs

Bill H.F. 3454

Analyst Colbey Sullivan

Date May 10, 2024

Overview

This act modifies statutes and appropriations that pertain to state programs and grants administered by the Minnesota Department of Veterans Affairs (MDVA) and the Minnesota Department of Military Affairs (MDMA).

Governor Tim Walz signed this act into law on May 8, 2024.

Summary

Section	Description
1	<p>Criminal justice agencies.</p> <p>Adds the Minnesota National Guard to a list of “criminal justice agencies” for purposes of the Minnesota Government Data Practices Act (Minnesota Statutes, chapter 13).</p>
2	<p>Veterans or military affairs data coded elsewhere.</p> <p>Amends the Minnesota Government Data Practices Act to establish a cross-reference to the expanded service member data disclosure requirement found in section 7 of this act.</p>
3	<p>Contracts; agreements.</p> <p>Provides that notwithstanding other state law to the contrary and regardless of whether such role is prescribed or required by federal law, the adjutant general of the Minnesota National Guard is the state’s contracting authority and officer for facility construction, improvement, or maintenance, and any other military program or project, that is financed to some degree by the federal government.</p>
4	<p>Rental of military facilities.</p> <p>Authorizes the adjutant general to establish terms and rent out any Minnesota National Guard building or facility. Previously, the adjutant general’s authority under this statute was limited to the buildings and facilities at Camp Ripley.</p>

Section	Description
5	<p>Exemption from process; transfer to civil authorities.</p> <p>Inserts in a different section of statute an existing provision regarding criminal offenses committed by a service member, and updates and clarifies this language (see section 7 for the prior, stricken language).</p>
6	<p>Referral bonus program.</p> <p>Authorizes the adjutant general to establish a program to provide a bonus for referrals that lead to enlistment in or commissioning into the Minnesota National Guard. The adjutant general may determine eligibility criteria and a payment schedule and recoup any bonus paid to an ineligible person. Requires the adjutant general to report specified information to the legislature if the adjutant general implements the referral bonus program.</p>
7	<p>Service member data.</p> <p>Broadens the scope of data on a service member that must be made available to the Minnesota National Guard upon request of the state judge advocate. Data available to the Guard under this section includes any data classified as either confidential data on individuals or private data on individuals and maintained by any government entity, except protected data concerning victims of violence that is governed under Minnesota Statutes, chapter 5B. This section also removes an existing limitation that the adjutant general may only use such data in support of military justice and disciplinary action.</p>
8	<p>State armory building commission, powers.</p> <p>Expands the purposes for which the Minnesota State Armory Building Commission may transfer money between armory accounts in the Minnesota State Armory Building Commission Fund to include the payment of another armory's reasonable and necessary obligations. (The Minnesota State Armory Building Commission consists of the adjutant general of the MDMA and not less than two Minnesota National Guard officers above the grade of major, as selected and appointed by the adjutant general. (Minn. Stat. § 193.142))</p>
9	<p>Armory board.</p> <p>Authorizes the adjutant general to control, operate, and use armory buildings and grounds, or to delegate this authority to an armory board consisting of representatives of the officers, warrant officers, or enlisted personnel quartered in the armory. Previously, this statute vested such authority directly in the armory boards.</p>

Section	Description
10	Rentals; proceeds. Grants the adjutant general authority to determine armory rental terms and conditions. Under prior law, this authority was vested in the armory boards.
11	May sell and convey property. Authorizes the adjutant general to consider other local government contributions, in addition to money, when selling or conveying property to a municipality or county.
12	May sell and convey property in certain cases to limited resource municipalities. Authorizes the adjutant general to sell and convey property to a municipality for less than the property's appraised value if the sale is advantageous for military training, the municipality lacks a sufficient property tax base or other financial resources, and the property will remain in public use for at least 25 years.
13	Exchange of property. Authorizes the adjutant general, with approval from the Land Exchange Board (i.e., the governor, state auditor, and attorney general), to exchange any property for other public or private property, regardless of value, if advantageous for military training or operations, or to reduce management costs.
14	Disposition of unsuitable armory sites and buildings. Provides that money received by the adjutant general from the sale of unsuitable or condemned armory sites and buildings must be credited to the maintenance appropriation of the Department of Military Affairs or the Minnesota State Armory Building Commission, as determined by the adjutant general. Previously, this statute required the sale proceeds to be deposited in the general fund.
15	Bond financed property. Provides that any conveyance, sale, or exchange of armory property purchased with state general obligation (GO) bonds is subject to the restrictions and requirements that apply to the sale of all state GO bond-financed property, including that the sale must be authorized by law, for fair market value, and approved by Minnesota Management and Budget.
16	Issuance without charge. Requires the officials responsible for keeping certain official records and certificates (e.g., birth certificates) to provide a copy free of charge to a county veteran service officer for use in presenting a veteran's claims to the United States Veterans Administration.

Section	Description
17	Administrators. Provides that any veterans home administrator appointed by the commissioner of veterans affairs does not serve at the pleasure of, or report directly to, the commissioner.
18	Supplemental programs. Authorizes MDVA to operate a central pharmacy to provide residents of state veterans homes the pharmaceuticals that are prescribed as part of their care plans.
19	Memorial Day and Veterans Day, appropriations for observance. Authorize counties to spend more than the prior annual limit of \$3,500 for Memorial Day observances, and authorizes counties to spend money on Veterans Day observances.
20	Appropriations to military service organizations for Memorial Day and Veterans Day. Allows counties to award local veterans service organizations money to defray the organizations' costs to conduct Memorial Day and Veterans Day exercises. Previously, counties could award no more than \$300 to such organizations and only for Memorial Day exercises.
21	Unauthorized presence on military installations. Establishes misdemeanor and felony crimes for intentional, unauthorized presence at any campground, military reservation, armory, installation, or facility owned or controlled by the state or federal government for military purposes. Previously, these crimes applied only to intentional, unauthorized presence at Camp Ripley.
22	Planning new veterans cemeteries. Requires MDVA to identify a suitable site and plan for a new state veterans cemetery in northwestern Minnesota.
23	Veterans programs and services. Authorizes MDVA to carryforward into fiscal year 2025 any unencumbered portion of a fiscal year 2024 appropriation for grants to Metro Meals on Wheels to deliver meals to veterans.
24	Veterans health care. Authorizes MDVA to access money appropriated for veterans home operations for the second year of the budget biennium (i.e., fiscal year 2025) in fiscal year 2024 if the amount appropriated for fiscal year 2024 is insufficient.



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