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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3390

03/21/2016 Authored by Hilstrom, Sundin, Bernardy, Mariani, Slocum and others  
The bill was read for the first time and referred to the Committee on State Government Finance

1.1 A bill for an act  
1.2 relating to veterans affairs; appropriating money for veterans support including  
1.3 support for domestic abuse prevention, mental health services, chemical abuse  
1.4 treatment, veterans homelessness prevention, compensation to honor guards,  
1.5 and veterans courts; providing a veterans nursing home tax credit; amending  
1.6 Minnesota Statutes 2014, section 197.05; proposing coding for new law in  
1.7 Minnesota Statutes, chapter 290.

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

1.9 Section 1. Minnesota Statutes 2014, section 197.05, is amended to read:

1.10 **197.05 FUND, HOW EXPENDED.**

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

1.24 (b) For purposes of this section, "resident" means a person living in Minnesota for at  
1.25 least 30 days with the intention of residing in the state and not for any temporary purpose.

2.1 An applicant may verify a residence address by presenting a valid state driver's license,  
 2.2 a state identification card, a voter registration card, a rent receipt, a statement by the  
 2.3 landlord, apartment manager, or homeowner verifying that the individual is residing at the  
 2.4 address, or other form of verification approved by the commissioner.

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

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

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

2.16 Subdivision 1. **Credit allowed.** (a) An eligible veteran or other individual who pays  
 2.17 for the eligible veteran to live in a nursing home is allowed a credit against the tax due  
 2.18 under this chapter. The credit equals 50 percent of the amount the individual paid for each  
 2.19 qualified month in which the eligible veteran lived in a nursing home. The maximum  
 2.20 credit is \$30,000 for married couples filing separate returns, and \$60,000 for all other filers.

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

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

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

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

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

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

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

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

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

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

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

3.8 **EFFECTIVE DATE.** This section is effective for taxable years beginning after  
 3.9 December 31, 2015.

3.10 Sec. 3. **VETERANS AND GUARDSMEN ENTITLED TO STATE HEALTH**  
 3.11 **INSURANCE; STUDY; REPORT.**

3.12 The commissioner of veterans affairs, the commissioner of military affairs, and  
 3.13 the commissioner of human services shall jointly study and report on the feasibility of  
 3.14 permitting veterans and resident members of the state's National Guard who meet the  
 3.15 federal health care eligibility guidelines for veterans and guardsmen set by the United  
 3.16 States Veterans Administration and the United States Department of Defense to receive  
 3.17 coverage under the medical assistance and MinnesotaCare programs. The study shall  
 3.18 provide separate cost estimates for providing coverage under medical assistance and  
 3.19 MinnesotaCare, and shall provide recommendations for maximizing federal financial  
 3.20 participation. By January 1, 2017, the commissioners shall provide a copy of the report to  
 3.21 the legislature.

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

3.23 \$..... is appropriated in fiscal year 2017 to the commissioner of veterans affairs  
 3.24 for compensation for honor guards at the funerals of veterans under Minnesota Statutes,  
 3.25 section 197.231. This appropriation is in addition to the appropriation under Laws 2015,  
 3.26 chapter 77, article 1, section 37, subdivision 2.

3.27 Sec. 5. **MINNESOTA ASSISTANCE COUNCIL FOR VETERANS;**  
 3.28 **APPROPRIATION.**

3.29 \$..... is appropriated in fiscal year 2017 to the commissioner of veterans affairs for  
 3.30 a grant to the Minnesota Assistance Council for Veterans to provide assistance throughout  
 3.31 Minnesota to veterans and their families who are homeless or in danger of homelessness.

3.32 This appropriation is in addition to the appropriation under Laws 2015, chapter 77,  
 3.33 article 1, section 37, subdivision 2.

4.1       Sec. 6. **VETERANS DOMESTIC ABUSE PREVENTION; CHANGE STEP**  
4.2 **PROGRAM; APPROPRIATION.**

4.3       \$..... in fiscal year 2017 is appropriated from the general fund to the commissioner  
4.4 of public safety for a grant to the Domestic Abuse Project to offer the change step program  
4.5 to all veterans who self-refer or are ordered by a court of law to participate in a domestic  
4.6 abuse counseling and education program.

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

4.8       \$..... in fiscal year 2017 is appropriated from the general fund to the state soldiers'  
4.9 assistance fund. The commissioner of veterans affairs must use this appropriation to fund  
4.10 grants to veterans as provided for in Minnesota Statutes, section 197.05, paragraph (d).

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

4.12       \$..... in fiscal year 2017 is appropriated from the general fund to the State Court  
4.13 Administrator for the purpose of developing and supporting veterans courts throughout  
4.14 the state. This appropriation is available until spent.