

## CHAPTER 197

## VETERANS; REWARDS, PRIVILEGES

197.09 Repealed.  
 197.10 Repealed.  
 197.11 Repealed.  
 197.23 Purchase of grave markers.  
 197.481 Enforcement.

197.75 Educational assistance, war orphans and veterans.  
 197.752 Educational assistance-POW/MIA dependents.

**197.09** [Repealed, 1983 c 335 s 3]

**197.10** [Repealed, 1983 c 335 s 3]

**197.11** [Repealed, 1983 c 335 s 3]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. **Account for marker purchase.** An account must be created by the department of finance under the control of the commissioner of veterans affairs that must be used to purchase markers. The commissioner shall provide the available funds for each county in the ratio of the number of markers placed in the county to the total number of markers placed in approximately the same ratio as funds that may be received from that county to the total amount of funds. The funds of each county includes the county government and any donations from organizations and individuals that are headquartered or resident in the county.

**History:** 1983 c 147 s 2

**197.481 ENFORCEMENT.**

*[For text of subs 1 to 5, see M.S.1982]*

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

*[For text of subs 7 and 8, see M.S.1982]*

**History:** 1983 c 247 s 82

**197.75 EDUCATIONAL ASSISTANCE, WAR ORPHANS AND VETERANS.**

Subdivision 1. **Benefits; eligibility.** The commissioner of veterans affairs shall spend a biennial appropriation for tuition of veterans, and for tuition, fees, board, room, books and supplies of the children of veterans who have died as a result of their service in the armed forces of the United States as determined by the United States Veterans Administration or other instrumentality of the United States, in the University of Minnesota, a state university, a community college, an area vocational technical institute, or any other university of higher learning within the state accredited by the North Central Association of Colleges and Secondary Schools, a law college approved by the supreme court, a nursing school approved by the state board of nursing, or in a trade, business, or vocational school in the

state approved by the state department of education, or in a theological seminary, for any course which such veteran or child may elect. Not more than \$350 shall be expended for the benefit of any individual veteran, and not more than \$350 in any fiscal year shall be expended for the benefit of any child under this section, and the need for the benefit shall be established and determined by the commissioner of veterans affairs. No child of any veteran shall make application for the benefits provided in this section unless the child resided in Minnesota for at least two years immediately prior to the date of the application. Children of veterans eligible for benefits according to this section shall be admitted to state institutions of university grade free of tuition until they receive a bachelors or equivalent degree. Payments of benefits shall be made directly to the institution in which the course of instruction is given or to the individual on forms prescribed by the commissioner.

**Subd. 2. Limitations.** None of the provisions of subdivision 1 shall be made available to any veteran who is entitled to the same or similar benefits under any law or regulation of the United States now in force or hereafter created, unless the veteran shall have been eligible for and exhausted the benefits the veteran is entitled to under the laws of the United States, through use thereof, in which event the veteran shall be entitled to the benefits provided for by subdivision 1.

**Subd. 3. Proof of eligibility.** Approval for benefits under this section shall require submission of the following evidence: application, financial statement, proof of military service, proof of residency and where applicable, a statement from the U.S. Veterans Administration that the veteran has exhausted entitlement to federal educational benefits through use thereof or that the veteran died of service connected disabilities. Upon submission of satisfactory proof of eligibility, benefits shall be provided from the date of application and notification of approval shall be sent to the educational institution and applicant.

**Subd. 4. Reimbursement form.** Reimbursement to such institution or eligible individual authorized under subdivision 1 shall be on forms prescribed by the commissioner.

**Subd. 5. Definition of veteran.** The word "veteran" as used in this section shall have the same meaning as defined in section 197.447 except that it shall include service persons that died while on active duty.

**Subd. 6. Residence required.** Veterans under this section shall have been a resident of the state of Minnesota at the time of induction into the armed forces and six months immediately preceding the induction.

**History:** 1983 c 335 s 1

### 197.752 EDUCATIONAL ASSISTANCE-POW/MIA DEPENDENTS.

Any dependent of a prisoner of war or a person missing in action, upon being duly accepted for enrollment in any Minnesota public post-secondary institution, shall be allowed to attend the institution to obtain a bachelors degree or certificate of completion, for so long as he is eligible, free of tuition or charge. A dependent who enrolls as an undergraduate in any private Minnesota post-secondary institution shall be entitled to payment by the state of tuition and fees at a rate not to exceed \$250 per year for so long as the dependent is eligible to attend the institution and is working toward a bachelors degree or certificate of completion.

"Prisoner of war" and "persons missing in action" for purposes of this section mean any person who was a resident of the state at the time the person entered service of the United States Armed Forces, or whose official residence is within the state, and 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.

"Dependent" for purposes of this section means the spouse of a prisoner of war or person missing in action, or any child born before or during the period of time his parent served as a prisoner of war or was declared a person missing in action, or any child legally adopted or in the legal custody of the parent prior to and during the time the parent served as a prisoner of war or was declared to be a person missing in action. Once a person qualifies as a dependent under the terms and provisions of this section there shall be no situation such as the return of the spouse or parent or the reported death of the spouse or parent that will remove the dependent from provisions or benefits of this section.

**History:** 1983 c 335 s 2