

NORTH DAKOTA VETERANS COORDINATING COUNCIL
 Veterans of Foreign Wars Clubrooms, Jamestown, North Dakota
 October 29, 1984

The meeting was called to order by President Greg Seurer. Those in attendance were:

American Legion

Howard V. Erickson, Dept. Cmdr.
 Vern Useldinger, Dept. Adj.
 Milt Kane, Council Rep.

VETERANS OF FOREIGN WARS

Art Streed, Dept. Cmdr.
 Ken McGaughey, Dept. Adj.
 Bill Stepp, Rep. Council Rep.

DISABLED AMERICAN VETERANS

Elwyn Rhodes, Dept. Cmdr.
 Leroy Lamb, Rep. Adj. Hannah

AMVETS

Dennis Thomson, Dept. Cmdr.
 Elmer Ekern, Dept. Adj.
 Bill Hill, Council Rep.

MEMBERS AT LARGE

Julius Wedman, President, County Veterans Service Officers
 Joe Appert, President, Vietnam Veterans of America
 Jim Swenson, Vice President, Vietnam Veterans of America
 Ron Zeller, Chairman VVA Legislative Committee
 W.M. Williamson, State Director, Veterans Employment & Training
 Lloyd Zander, Commissioner of Veterans Affairs
 James Welder, Commandant, Veterans' Home
 Jack Hilleboe, chairman, N.D. Admin. Comm. on Veterans Affairs
 Floyd Henderson, Veterans of World War I, Inc.

OTHERS

Leo Swenson, Deputy Dir. ND Job Service
 Ron Daugherty, Job Service, Jamestown
 Ervin Kautzman, AmVets
 Gayle Syverson, AmVets
 Harry Moore, Public Relations Officer and acting secretary

Ken McGaughey presented the treasurer's report:

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|---|------------------|-------------------|
| Balance on hand at last Council meeting | | |
| Passbook Savings - First National Bank & Trust, Fargo | \$ 933.84 | |
| Checking Account - First National Bank & Trust, Fargo | <u>\$ 288.51</u> | \$1,222.35 |
| Receipts | | |
| Interest On Savings account | \$ 12.32 | |
| DAV Dues | \$ 281.25 | |
| American Legion Dues | \$ 506.25 | |
| AmVets Dues | <u>\$ 225.00</u> | <u>\$1,024.82</u> |
| | | \$2,247.17 |
| <u>Disbursements</u> | | |
| Marlys Schuler, Secretarial Assistance | \$ 75.00 | |
| FRS Industries, Fargo (Plaque) | \$ 136.66 | |
| Postmaster, Fargo (Stamps) | <u>\$ 40.00</u> | |
| | 251.66 | |
| Service Charge (bank) | <u>\$ 2.40</u> | |
| | | <u>\$ 254.06</u> |
| Balance, Checking Account, October 29, 1984 | \$1,046.95 | \$1,993.11 |
| Balance, Savings Account, October 29, 1984 | <u>\$ 946.16</u> | \$1,993.11 |

Milt Kane moved the report be accepted. Motion seconded by Dennis Thompson and carried.
 Ken McGaughey moved we approve the minutes as distributed. Motion seconded by Bill Hill and carried.

President Seurer asked the voting member organizations to name their legislative committee representatives who were named as follows:

V Elwyn Rhodes - DAV

Leo Swenson - American Legion (plus Milt Kane on the legislative changes study bill)

Gayle Syverson - AmVets

The VFW stated they did not yet have a representative selected but would report as soon as one had been named.

President Seurer stated it was already past time that the Legislative Committee get to work and suggested that those member present and Leroy Lamb meet following the meeting to formulate plans for future meetings and support of pertinent legislation.

Ron Zeller, who is chairman of the VVA's Legislative Committee also volunteered to serve, ex-officio on the Legislative Committee..

Leroy Lamb reported that he had been working in Bismarck on a part time basis since October 1, that his office was located in Room 331 in the Highway Department Building and his telephone number 224-4117. He stated that if he is not in Support Services are to take his calls and will relay information to him since he is doing considerable moving about the Capitol area while getting his feet on the ground.

The duties and responsibilities of the North Dakota Coordinating Council Executive director as listed in the 10 item list attached to the July 26, 1984 job description for the Executive Director were reviewed by President Seurer.

Administrative Committee Chairman Jack Hilleboe stated that, although late, his committee did implement the stationing of a representative of the Commissioner of Veterans Affairs office (Leroy Lamb) in Bismarck and told those present to call Lee if they needed help.

At the request of Acting Secretary Moore, those present introduced and otherwise identified themselves and their connection with the Coordinating Council.

The comment was made that the deadlines for bill submission were urgently important and that agency bills had to be submitted by the first or fifteenth of December and that the Council was already out of the running for a time to hold the traditional legislative dinner as there were no dates left open for such an event until too late in the legislative session to be of benefit other than as a thank you to those legislators who had been of support and assistance during the session.

North Dakota Veterans' Home Commandant Jim Welder discussed proposed legislation changing the state's veterans' laws that would affect the Home and defining many heretofore undefined services. Jim reported that Attorney Robert J. Udland from the Attorney General's office has a problem with the terminology "discharge under other than dishonorable conditions" proposed in the new legislation and stated that any changes to be made now must be as amendments to the proposed law

Milt Kane discussed the proposed legislation relating to definitions and establishing priorities for admission to the Veterans' Home, stating the proposed necessary change reads "A 'veteran' is a person who served in the active military, naval or air service, and was discharged or released, under conditions other than dishonorable." He said the law generally denies benefits to people who enlisted in military service after September 7, 1980, and to all other people entering military service after October 16, 1981, who do not complete the shorter of (1) 24 months of continuous active duty, or (2) the full period for which the person was called or ordered to active duty. This provision does NOT apply to veterans who have a compensable service connected disability or who were discharged close to the end of an enlistment term for reasons of hardship or for a disability incurred or aggravated in line of duty.

Bill Williamson suggested solving the definition problem by returning to the old wording of a veteran having been "honorably" discharged. The matter was discussed at great length.

Bill Stepp moved, Dennis Thompson seconded striking "other than dishonorable" and substituting "under honorable conditions" in the definition of a veteran, which motion carried.

Bill Williamson asked the group if they wanted to give veterans' preference in employment to other than wartime veterans? He pointed out that challenges of the wartime veterans only eligibility in courts in Montana, New Jersey, Massachusetts and several other states had been denied unanimously.

Leroy Lamb moved that "wartime" veterans be retained as sole eligibles for veterans' preference. Motion was seconded by Bill Stepp and carried.

Jim Welder announced that, thanks to a generous gift from Lisbon's Post 7 of The American Legion, a new entrance sign would be dedicated at the Veterans' Home at 1:30 p.m. on Thursday, November 15, and invited all present to attend the festivities.

Efforts to revert Memorial Day to May 30 were supported unanimously by veterans' organizations although recognizing it would be a tough and, probably, losing battle.

Since legislation to remove the Veterans of World War I, Inc. from membership on the Administrative Committee on Veterans Affairs is to again be supported in this session of the Legislature, Bill Williamson suggested that if the Vietnam Veterans of America achieve their 750 member goal to become eligible for voting membership on the Coordinating Council, which would also make them eligible for inclusion on the Administrative Committee where the AmVets will assume the WWI position, that a reduction of from three to two representatives per organization on the Administrative Committee be considered as, with three representatives for each of five organizations would make an unmanageable 15-member committee where a committee of 10 members, 2 less than at present, could still handle the job.

Members of the VVA present stated they want full membership on the Council and to have the law changed to include them on the Administrative Committee if and when they achieve the necessary 750 membership across the state.

President Seurer reported that Milt Kane had asked for a recommitment to the Council stand on moving an office of the Commissioner of Veterans Affairs to Bismarck and called on Stutsman County Veterans Service Officer Julius Wedman, the newly elected president of the County Veterans Service Officer's Association, who reported that a motion had been made during the CVSO's meeting held in conjunction with the CVSO Training Conference held at Fargo Oct. 22-24, to oppose the move to Bismarck and that the motion was defeated. President Wedman voiced his position that the move should be given a chance to work at least!

Bill Williamson pointed out the importance of unanimous agreement on the issue and support for the bill being proposed in the Legislature.

Leroy Lamb asked how involved with this bill he would be as a staff member of the Commissioner of Veterans Affairs office and Bill Williamson replied that he should be prepared to testify in support of the bill in consonance with the stand of the Council on the matter.

Floyd Henderson remarked that his recollection was that the Administrative Committee did not approve a total move but had authorized establishing a temporary office in Bismarck only. And Jack Hilleboe stated that the Administrative Committee was never asked to move the office of the commissioner to Bismarck and did not vote on such a move!

Bill Stepp commented that Leroy Lamb was in a tough situation as he had no guidelines for the position in Bismarck and needs such guidelines in order to function efficiently in any respect!

Vern Useldinger repeated the action taken during the March 21-22, 1984 meeting of the Council wherein then American Legion Department Commander H.F. "Sparky" Gierke moved, Ken McGaughey seconded and the Council passed a reiteration of the Council's position on establishment of a Bismarck office of the Department of Veterans Affairs, effective July 1, 1984, and that we recommend temporary manning of this office during the year 1984-85 with an individual from the present staff of the Department of Veterans Affairs. In staffing the Bismarck office, we recommend no resulting reduction of the claims staffing levels in the Fargo office. The Veterans Coordinating Council legislative committee will be directed to draft proposed legislation transferring the office of the Commissioner of Veterans Affairs to Bismarck, effective July 1, 1985, with no reduction in claims staffing in the Fargo office!

Leo Swenson reported that he was asking a member of the Attorney General's staff to prepare legislation to eliminate the state law that requires military retirement pay be deducted from unemployment insurance compensation in the case of a retired veteran who loses a job and applies for unemployment compensation.

Vern Useldinger moved the Council support Leo's action, Bill Stepp seconded the motion which carried.

Lloyd Zander reported that he and Keith Kiser had met with the Office of Management and Budget and asked for \$340,076 in the 1985-'87 budget to include recouping of the expense of Leroy Lamb's move to Bismarck on a part time basis starting in October of 1984 and that he thought they could fund the move to at least the first of 1985, providing there were no unforeseen expenses.

Bill Williamson asked Lloyd Zander about the question he received from OMB in regard to taking funds for the CVA budget from the "Trust Fund" left from Vietnam Bonus funds and went on to explain, again, that there are NO Vietnam Bonus funds left in the state treasury, that there were two funds, one developed from taxation, the other from funds taken from the General Fund--intended to pay the Bonus, and that, in 1981 many bills were submitted to take money from these two remaining amounts, to which the Coordinating Council agreed so far as the portion from the General Fund was concerned, but requested the National Guard be allowed funds for a history of the Guard, for their education waiver program and for armory construction but that the Council wished the part from taxation put into a Veterans' Postwar Trust Fund and that amounted to some \$3.4 million which is still there plus any accrued interest except that the 1983 Legislature was strapped for money and took the interest to run the DVA and Veteran's Home for the biennium and that now it appeared they were poised to do the same thing and that the Council had better stop such a move right now!

Ron Zeller again asked for clarification of the 1981-83 expenditures for the National Guard and Bill Williamson again explained the two funds and how they were disposed of.

It was agreed that the Legislative Committee would discuss a legislative dinner to be held late in the session.

The concern of the County Veterans' Service Officers' Association regarding getting veterans into the John Moses Air Force Hospital veterans section at Minot was expressed and it was reported that Chuck Godke was looking into the matter. Julius Wedman reported that information given out at the CVSO's Training Conference indicated that there may be some cutbacks in veterans' benefits according to Midge Quandt from the VA Central Office and that it was highly likely that non-service connected veterans might be dropped from VA hospital treatment eligibility as early as November 6, 1984. Julius also reported the likelihood that the VA would move to home treatment

for veterans rather than at VA nursing homes and such facilities.

Vern Useldinger stated that "We have a lot of work ahead of us to fight off these terrible reductions in VA services alone, and Bill Williamson remarked that anyone present who thought such actions weren't going to take place or be attempted had better get ahold of a full copy of the Grace Commission Report.

Chairman Jack Hilleboe reported the Administrative Committee had lost a beloved friend in Past Legion Department Commander Otto A. "Pete" Helm who had represented the WW I Veterans, Inc. on the Committee, and that the WW I Veterans were gathering a list of names to submit as possible replacements. He also reported the Committee had received several favorable opinions regarding the lawsuit against it regarding admission to the Veterans' Home.

Chairman Hilleboe also reported on correspondence received regarding a case involving promotion of a veteran who had invoked veterans' preference as a determinant and that veteran's preference pertains specifically to new hires, not promotions, so does not have any bearing in this particular case.

In a discussion of the future of the Coordinating Council President Seurer emphasized that the job cannot be done from Fargo and that the Council must have an executive director located in Bismarck! He stated we may be able to get through this year and legislative session but that no way can we continue to function in this manner!

Bill Williamson stated that the Attorney General's opinion does NOT forbid the Commissioner of Veterans Affairs from serving as the Council executive director but specifies he must do so purely voluntarily, and said "I don't think the veterans' organizations can afford to hire a fulltime executive director!" Williamson recommended the Council ensure that when a new commissioner is hired in July of 1985 that the person hired agree to serve the Council voluntarily as executive director. He also pointed out that it was unfair to ask Harry Moore to act as secretary when a professional with shorthand ability is needed to handle the job--if the Commissioner of Veterans Affairs were executive director he could ask a secretary if she would like to travel and take minutes of meetings etc.

Ken McGaughey suggested that Leroy Lamb accept the executive directorship voluntarily for the remainder of this legislative year at least to 1 July 1985. The book of Veterans' Laws of North Dakota, Page 30, section 37-18 pertaining to duties of the Commissioner of Veterans Affairs was referred to pointing out that the law assigns duties identical to those of the executive director to the Commissioner.

President Seurer suggested it might be necessary for the Council to supply secretarial assistance and Milt Kane offered a tentative additional assessment of organizations amounting to \$500 for the VFW and American Legion and \$300 each for DAV and AmVets to cover such expense, however, Vern Useldinger pointed out that if the Council once funded such assistance the Legislature would call on it to do so forever in the future. Other discussion pointed out the inadvisability of getting into such an operation.

President Seurer agreed to order new stationery and set the next meeting at Jamestown on Monday, Dec. 10 at the VFW Club to start, tentatively at 10 a.m.

Bill Stepp again asked for a job description for Leroy Lamb's position and Bill Williamson stated this was a job for the Administrative Committee.

The VVA representatives present announced their state headquarters address is P.O. Box 992, Bismarck, ND 58502-0992 and phone number 258-4646, which is President Joe Appert's business phone which is equipped with an answering machine in event Joe is not there.

The meeting was adjourned by mutual consent of all present at approximately 4 p.m.

Report by Ken McGaughey, Past Treasurer, North Dakota Veterans Coordinating Council.

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| Balance on hand - Last Council meeting | \$1222.35 |
| Passbook Savings - First National Bank & Trust | \$933.84 |
| Checking account - First National Bank & Trust | \$288.51 |

Receipts

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|-----------------------------|------------------|
| Interest on Savings account | \$12.32 |
| DAV Dues | \$281.25 |
| Am. Leg. Dues | \$506.25 |
| Amvets Dues | \$225.00 |
| Total Receipts | <u>\$1024.82</u> |

Disbursements

| | |
|-------------------------------------|-----------------|
| Marlys Schuler, Secretarial Assist. | \$75.00 |
| FRS Industries (Plaque) | \$136.66 |
| Postmaster, Fargo (Stamps) | \$40.00 |
| | <u>\$251.66</u> |
| Service Charge | \$2.40 |
| Total Disbursements | <u>\$254.06</u> |

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|---|------------------|
| Balance, Checking Account, October 29, 1984 | \$1046.95 |
| Balance, Savings Account, October 29, 1984 | \$946.16 |
| Net worth 10/29/84 | <u>\$1993.11</u> |

The above is true and correct to the best of my knowledge.


Ken McGaughey, Past Treasurer
North Dakota Veterans coordinating Council