



SOUTH DAKOTA VETERANS COUNCIL

The American Legion, Disabled American Veterans, Veterans of Foreign Wars,
Paralyzed Veterans of America, 1054 & 959 Vietnam Veterans of America
Military Order of the Purple Heart

**2301 RESEARCH PARK WAY
EXECUTIVE SUITE AT THE RESEARCH PARK – BROOKINGS, SD
25 OCTOBER 2023 - 1:00 PM – 3:00 PM CST**

1. CALL TO ORDER:

The meeting of the South Dakota Veterans Council was called to order by President Connie Johnson at 1:02 pm.

2. ROLL CALL:

Vice President Anna Arnold called the roll call showing the following members present and Quorum was met. A current list of Council Members was provided. Handout Provided dated September 18, 2023.

American Legion (TAL): Courtney Steffen

Disabled American Veterans (DAV): Marty Pennock and Gene Murphy

Veterans of Foreign Wars (VFW): Anna Arnold and Dan Klimisch

Vietnam Veterans of America Chapters 1054 and 959: Terry “Hawk” Mayer (959)

Military Order of the Purple Heart (MOPH): Connie Johnson and Bill Flippo

North Central Chapter Paralyzed Veterans of America (PVA): Terry Paulsen,

Official Officers Excused – (TAL) C.P. Van DeList, (TAL) Fred Nelson, (DAV) Christine Speirs, (VFW) Derek Besler, (VVA) Phil Braeger (1054), (VVA) Gordy West (1054), (MOPH) Buck Underwood, (PVA) Mike Olson, and (PVA) Lisa Cummings.

There were a total of 11 present for the meeting (attached sign in roster)

3. PREVIOUS MEETING MINUTES:

President Johnson called on Secretary-Treasurer Pennock to read the minutes from the September 20th, 2023, SDVC meeting and the Treasurers Report.

On a motion by (VVA) Terry Mayer and seconded by (DAV) Gene Murphy to waive the reading of the minutes from the September 20th, 2023, SDVC meeting, and approve them as written as they were mailed to members of the council, posted on the website and provided to members prior to the October 25th SDVC meeting. Discussion. Motion carried.

TREASURER'S REPORT:

Beginning Balance as of September 20th, was \$10,209.24, with no deposits and no expenses leaving a balance, as of October 25th, 2023, of \$10,209.24. A bank statement was provided to the group from First Interstate bank.

On a motion by (DAV) Gene Murphy and seconded by (VFW) Anna Arnold to approve the Treasurer's Report. Discussion. Motion carried.

4. UNFINISHED BUSINESS

- Future Meetings

November 15th, 2023, Sioux Falls, DAV, 9:00 am – 12:00 pm (CST)

Bureau of Administration will be invited to discuss the memorial at Capitol Lake.

Matt Swisher from Keystone will be invited to discuss the waitlist for treatment CITC process.

January 10th, 2024, The American Legion Post 8, Pierre, 2:00 pm - 5:00 pm (CST)

- Legislative Roundtables:

November 15th Sioux Falls – DAV, 12pm (CST)

November 16th Watertown – The American Legion Post 17, 11am (CST)

November 17th Pierre - The American Legion Post 8, 11am (CST)

November 18th Rapid City - The American Legion Post 22, 11am (MT)

(TAL) Courtney Stephen would inquire if food would be made available at the November 16-18 Roundtable Meetings.

President Johnson will not be able to attend Nov 17th or 18th Roundtable Meetings.

- SDVC Tax-Exempt Status: Treasurer Pennock reported that Form 1024 was filed on behalf of the South Dakota Veterans Council after the motion from the August 11th, 2023 SDVC meeting motion to approve the council to seek a tax-exempt status. The SDVC new EIN is 37-2103133 and the SD Business ID is NS256444. The SDVC filed under 501C-19 is waiting for the IRS to provide a decision. The IRS was contacted on Oct 25th, 2023 and they indicated that the application is still be reviewed and they have six months to make a decision.

Application for Recognition for Exemption Under Section 501(a) or Section 521

Form Number: 1024

Form Status: Accepted

Pay.gov Tracking ID: 2775E2KG

Date Submitted: 08/24/2023 14:30:19 PM

Application Name: Form 1024, Application for Recognition of Exemption Under Section 501(a).

- SDVC Website
The discussion revolved around the cost of the website and what it takes for additional maintenance.

\$3951.88 has been written to Creative Upframe

\$3067.93 was the Website Design and One Monthly Maintenance Hosting (\$65.00) in two payments on 4/5/22 and 5/26/22. \$830.70 at \$65.00/month for Website Hosting and Taxes on 2/21/23. \$53.25 for Domain on 6/12/23.

Do we stay with Creative Upframe or look for other vendors.

Terry Mayer will report back on KXRB

Do we internalize and maintain information by ourselves. This is time consumptive and who will do this?

We have a Facebook account and can also promote information there.

- Virtual Meetings
The discussion revolved around do we allow the use of remote access devices for members of the council to attend meetings that cannot be in attendance.

Many discussion points were made on both sides of the argument, cost versus in person collaboration, to safety of driving in the winter. IN the end the decision, the majority of those in attendance were in favor of a form of virtual allowance and a balance of such in that it is not to be used 100% of the time by one member or one group. There were some discussion about the costs and what type of equipment to use. Currently The American Legion has a system that they are going to allow the SDVC to use for those members not in attendance. This will not be made for the public use. Our bylaws do not address this, but as the use of the equipment advance, the SDVC may need to adopt bylaws to address the changing environment.

- SD Veterans Cemetery Advisory Board Letter
The attached letter will be sent to the SDDVA.

- Legislation

- Long-term term health care resolution from last year.

It was recommended that President Johnson reach out to the SDDVA and inquire for a meeting with the Governor's Office on this issue as the current study has not addressed the issues, we as Veterans have.

- Support increasing amount of money reimbursed from state to pay for VSOs

The SDVC will take on a support role on a bill that is being developed.

- Exempt 100% permanent and total disabled Veterans from paying up to \$5,000 in sales tax on food tax

A primary or secondary sponsor will need to be identified to champion this bill.

- New 41-6-10.3 - Issue a combination hunting and fishing licenses to all qualifying Veterans who apply at one-half off the current rate
- 41-17-13.4 Free admission and reduced fees for certain veterans
- Certain disabled residents and residents held as prisoners of war eligible for reduced license fees

The GFP bills will be looked at as a collaborative effort possibly with a mental health funding aspect.

5. NEW BUSINESS:

A. Veteran Definition – It was decided that the SDVC will be taking a neutral stance on this discussion at this point with the suggested law change.

BLUF: Encouragement to Revise the Definition of a Veteran Statute [SDCL 33A-2-1 and 33A-2-2] in South Dakota to be inclusive of nationally recognized Uniformed Services Veterans [USPHS & NOAA].

Dear Senator Schoenbeck, Representative Callies, Secretary Whitlock and Deputy Secretary Pollard,

I hope this email finds you all in good health and high spirits. As a born and raised South Dakotan, I am writing to bring to your attention an important matter that has the potential to benefit our state's veterans and uniformed service members. Specifically, I would like to encourage the South Dakota Department of Veterans Affairs to review and support the revision of the definition of a veteran statute, namely SDCL 33A-2-1 and 33A-2-2, to encompass a broader and more inclusive scope.

The proposed revision would seek to create a Bill titled "An Act relating to members and veterans of the uniformed services, including the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps." This revision would involve replacing instances of [ARMED FORCES] with [Uniformed Services] in various areas of the statute, among other necessary adjustments.

Specifically, I would like to advocate for the inclusion of individuals who have served as regular or reserve commissioned officers of the Commissioned Corps of the United States Public Health Service or the National Oceanic and Atmospheric Administration Commissioned Officer Corps and whose discharge was under honorable conditions to be recognized as veterans in the eyes of South Dakota law.

This proposed revision is in line with efforts to ensure that all those who have served our nation and the State of South Dakota in uniformed capacities, regardless of the branch or

service they belong to, are acknowledged and provided with the benefits and recognition they deserve. An exemplary instance of such efforts took place in the State of Alaska in 2017, as evidenced by House Bill 194 (HB 194), a copy of which I have attached for your reference.

By broadening the definition of a veteran to encompass members of the Commissioned Corps of the United States Public Health Service and the National Oceanic and Atmospheric Administration Commissioned Officer Corps, we would be taking a significant step towards recognizing the diverse contributions of those who have served our country. This initiative aligns with our commitment to supporting veterans and uniformed service members, irrespective of their specific service branch.

I kindly request that the South Dakota Department of Veterans Affairs review this proposal and consider encouraging the State Legislature to take action by introducing a bill that reflects the revised definition. Such a measure would not only be a symbol of gratitude to these dedicated individuals but also a step toward inclusivity and fairness within our state's laws.

Title 38 of the Code of Federal Regulations, Section 3.7, includes the National Oceanic and Atmospheric Administration (NOAA) and the United States Public Health Service (USPHS) "as individuals or groups considered to have performed active military, naval, or air service," whereas South Dakota Statute defines veteran only as "a person who has served a branch of the armed service of the United States." NOAA and USPHS officers are deployed by orders to needed missions, and each officer, regardless of service, is on orders directing their duty stations and the nature of their deployment. None was seen more so than during the COVID-19 Pandemic, and while serving, they are subject to the same commitment to duty as are members of the armed forces. US Senator Mike Rounds provided a [press release in 2020](#) in support of the USPHS Ready Reserve. It's time that the State of South Dakota formally recognizes and legitimizes the nation's uniformed services as veterans.

South Dakota employs active NOAA employees in the River Forecast Centers and Local Weather Forecast offices. With over 6,500 active USPHS officers nationally, South Dakota has officers actively serving Indian Health Services, Veterans Services, and other federal agencies. We also serve underserved populations through RAM (Remote Area Medical) Missions. There are also retired NOAA and USPHS Corps officers residing in the state. These officers currently receive Veteran Administration (VA) benefits but are not considered veterans under South Dakota Statutes, thus, they are not eligible for veteran benefits.

Thank you for your attention to this incredibly important matter. I believe that our collective efforts can lead to positive change for our veterans and uniformed service members in South Dakota. As a 13 year USPHS Officer with full intent to return and retire within my home state of South Dakota, I am personally grateful for your support and advocacy of our nation's uniformed services and veterans.

Please feel free to reach out to me if you require any further information or assistance in advancing this initiative.

Very Respectfully, Commander Ashley Frost

[Formerly Johnson, Watertown, SD]-- Ashley S. Frost MHA, (MLS) ASCP^C

B. **FOR AN ACT ENTITLED**, An Act to amend the eligibility for admission to the state veterans' home and repeal the residency requirement. The Council is going to a neutral stance on this bill.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 33A-4-25 be AMENDED:

33A-4-25. Eligibility for admission to veterans' home.

~~Any~~ A veteran as defined by § 33A-2-1 is eligible for admission to the State Veterans' Home if who has maintained a residence in the state at any time in the five years preceding the date of the application, and who has no income in excess of one thousand dollars per year above the maximum income limitation for pension benefits as determined by the United States Department of Veterans Affairs, is eligible for admission to the State Veterans' Home the veteran is eligible for the purpose of payment of per diem for domiciliary care or nursing home care in a State Home.

A veteran domiciled in this state within the past five years shall receive admission preference, contingent upon the veteran meeting all admission criteria. A veteran who is a member of a federally recognized tribe shall receive admission preference, contingent upon the veteran meeting all admission criteria. For the purposes of this section, a residence is a physical structure in which a person resides and the term does not include a post office box or address of another mail service purchased by the veteran. A veteran who has a rating of total disability as defined by the United States Department of Veterans Affairs for pension and compensation purposes is also eligible for admission.

Membership Residency status at the State Veterans' Home is not affected because of a medical leave of absence either in a United States Department of Veterans Affairs facility or other hospital. ~~Any veteran who is an enrolled member of a federally recognized Indian tribe located wholly or partially in the state meets the residency requirement.~~

- SDVC Shirt / Cards / Tablecloth – Merchandise.

On a motion by (VFW) Anna Arnold and seconded by (VFW) Dan Klimisch to approve up to \$1,000.00 to be spent on the purchase of South Dakota Veterans Council merchandise to promote the organization. Discussion. Motion carried.

6. GOOD OF THE ORDER

Nothing to report

7. CLOSING COMMENTS

None

8. ADJORNMENT: President Johnson provided closing comments.

On a motion by (VFW) Anna Arnold and seconded by (VFW) Dan Klimisch to adjourn the meeting. The motion carried. The meeting adjourned at 3:36 pm.