

NORTH CAROLINA GENERAL ASSEMBLY



JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

REPORT TO THE 2009 GENERAL ASSEMBLY

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STATE OF NORTH CAROLINA



JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

December 4, 2008

TO THE MEMBERS OF THE 2009 GENERAL ASSEMBLY

Attached for your consideration is the final report to the 2009 General Assembly. This report was prepared by the Joint Study Committee on Military and Veterans' Affairs pursuant to G.S. 120-19.6(a1), Rule 31 of the Rules of the Senate of the 2007 General Assembly, and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly.

Respectfully submitted,

Representative Grier Martin, Co-Chair

Senator Bob Atwater, Co-Chair

Senator Tony Rand, Co-Chair

North Carolina General Assembly
Joint Study Committee on Military and Veterans' Affairs
(2007)

UnExpired Positions Only

G.S. 120-19.6(a1); Letter of 04-

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Monday, April 21, 2008

Joint Study Committee on Military and Veterans' Affairs (2007)

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Monday, April 21, 2008

**Marc Basnight
President Pro
Tempore,
North Carolina Senate**



**Joe Hackney
Speaker,
North Carolina
House of
Representatives**

Raleigh, North Carolina 27601-1096

Joint Study Committee on Military and Veterans' Affairs

Section 1. The **Joint Study Committee on Military and Veterans' Affairs** (hereinafter "Committee") is established by the President Pro Tempore of the Senate and the Speaker of the House of Representatives pursuant to G.S. 120-19.6(a1), Rule 31 of the Rules of the Senate of the 2007 General Assembly, and Rule 26(a) of the Rules of the House of Representatives of the 2007 General Assembly.

Section 2. The Committee consists of 16 members. The President Pro Tempore of the Senate shall appoint 7 Senators and 1 public member of the Committee. The Speaker of the House of Representatives shall appoint 7 Representatives and 1 public member of the Committee. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint a co-chair from among their respective appointees. Members serve at the pleasure of the appointing officer.

President Pro Tempore Appointments	Speaker of the House Appointments
Senator Tony Rand, Co-Chair	Representative Grier Martin, Co-Chair
Senator Bob Atwater	Representative John M. Blust
Senator Harry Brown	Representative R. Van Braxton
Senator Tony Foriest	Representative Margaret Highsmith Dickson
Senator Ed Jones	Representative W. Robert Grady
Senator John Kerr	Representative Ric Killian
Senator Jean Preston	Representative William L. Wainwright
Rear Admiral (Ret.) L.F. "Ferg" Norton, New Hanover County	Lt. Col. Christopher R. Canipe, NCARNG (Ret.) Guilford County

Section 3. The Committee shall study the following issues:

- (1) The definition and use of the term "veteran" and "disabled veteran" throughout the North Carolina General Statutes and whether those definitions must be consistent with corresponding federal laws.
- (2) The availability of continuing education, training, and other employment services to veterans and their dependents seeking employment assistance or advancement.

- (3) Examine the re-entry process for service members who return to civilian life after being engaged in an active theater. The examination may include the effects of post-traumatic stress disorder, traumatic brain injury, homelessness, disabilities and physical health care issues the Committee finds relevant to the re-entry process.
- (4) The ability of North Carolina's mental health system to provide care and services to military personnel, especially those that are returning from combat.
- (5) The availability of services provided by federal, State, and local governments that offers veterans employment counseling and other workforce-related support services.
- (6) Education issues relating to military dependents, including dependents that are transferring into North Carolina schools from other jurisdictions.
- (7) Compatible development issues facing North Carolina's military installations.
- (8) The extension of State benefits and privileges to veterans of Operation Iraqi Freedom and Operation Enduring Freedom consistent with those currently granted to veterans of World War I, World War II, Korea, and Vietnam.
- (9) Other issues or matters affecting North Carolina's veterans, military retirees, military bases, or military and veteran populations.

Section 4. The Committee shall meet upon the call of its co-chairs. A quorum of the Committee is a majority of its members. No action may be taken except by a majority vote at a meeting at which a quorum is present.

Section 5. The Committee, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and Article 5A of Chapter 120 of the General Statutes. The Committee may contract for professional, clerical, or consultant services, as provided by G.S. 120-32.02.

Section 6. Members of the Committee shall receive per diem, subsistence, and travel allowance as provided in G.S. 120-3.1, 138-5 and 138-6, as appropriate.

Section 7. The expenses of the Committee shall be considered expenses incurred for the joint operation of the General Assembly. An initial allocation of \$35,000 shall be provided to the Committee from funds appropriated to the General Assembly.

Section 8. The Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. The Director of Legislative Assistants of the

House of Representatives and the Director of Legislative Assistants of the Senate shall assign clerical support staff to the Committee.

Section 9. The Committee may meet at various locations around the State in order to promote greater public participation in its deliberations.

Section 10. The Committee shall submit a final report on the results of its study, including any proposed legislation, to the members of the Senate and the House of Representatives, on or before December 31, 2008, by filing a copy of the report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, and the Legislative Library. The Committee shall terminate on December 31, 2008, or upon the filing of its final report, whichever occurs first.

Effective this 2nd day of April, 2008.



Marc Basnight
President Pro Tempore of the Senate



Joe Hackney
Speaker of the House of Representatives

COMMITTEE PROCEEDINGS

The Joint Study Committee on Military and Veterans' Affairs met twice: May 14, 2008 and December 4, 2008.

May 14, 2008

Hal Pell, Committee Staff, reviewed the charge to the Committee and reviewed substantive military and veteran related legislation enacted since 2003.

Next, the Committee heard from Mr. James Woodard, Program Manager for the State Veterans Nursing Homes with the North Carolina Division of Veterans Affairs (NCDVA), who gave an overview of the Division and the services provided that help over 792,000 veterans and their families get the benefits to which they may be entitled. In addition to the State service office in Winston-Salem, there are 15 district offices across the State and 94 county offices overseen by the NCDVA. There are also two veterans' nursing homes, one in Fayetteville and one in Salisbury; and two more in the planning stages, one in Kinston and one in Buncombe County. Mr. Woodard also said that there are three veterans' cemeteries, one in Spring Lake, one in Jacksonville and one in Black Mountain.

The next presentation was by Mr. John Harris, Veterans' Service Coordinator for the North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services (MH/DD/SAS). He reported on the substance abuse services for military personnel and veterans. Mr. Harris told the Committee that the Return and Support for Veterans Program (RSVP) will offer tele-mental health services in the rural areas of the State and help connect veterans to faith-based organizations that offer support services. Through the North Carolina Care Link website, there is a link specifically for veterans that will enable them to learn about available services in every county.

Retired Colonel (Ret.) John Harbison, Deputy Director of BRAC Regional Task Force, presented an update on the changes at Fort Bragg and the economic impact of these changes. Along with this growth comes challenges that include shortages of schools, classrooms and teachers and an impact on housing, roads, airports, workforce, infrastructure, public safety and medical facilities.

Mr. J. B. Buxton, Deputy Superintendent with the North Carolina Department of Public Instruction (DPI), presented the ways that DPI supports the children of the military members. In 2006, DPI started working with the North Carolina National Guard and the Office of the Governor to offer support to the children of the military in communities that are not near the military bases. DPI also established a website that gives teachers and counselors a resource guide to help them support children of the military in their communities.

The last presentation for this meeting was a report on the National Guard's Enhanced Family Assistance Centers by Colonel Tom Harris, Director of Strategic Plans and Policy with the North Carolina National Guard. Colonel Harris stated that because the National Guard is no longer a strategic reserve but an operational reserve and all units of the National Guard have been deployed at least once, the Governor and the General Assembly realized that more needed to be done for the families, children and employers of the members of the National Guard. Three Family Assistance Centers were funded last year.

December 4, 2008

Chris Russo, Director of Organizational Effectiveness, Department of Environment and Natural Resources (DENR) presented an overview of efforts to provide mutual and multiple benefits for the military bases in the State and the surrounding communities because of growth at Fort Bragg and other installations. Specifically, Mr. Russo outlined how the Conservation Fund is working with partners, including the U.S. Department of Defense and Fort Bragg, to establish the first community forest, The Hoke Community Forest, about a mile south of Fort Bragg. Hoke Community Forest will reduce military base encroachment, provide recreation opportunities, sustainable forest management, and water quality protection.

Dr. Michael Lancaster, Co-Director, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Health and Human Services (DHHS), spoke about State mental health services available to members of the military, veterans, and their families. In 2006, a partnership was formed between the State, federal government, and community providers to address the unique mental health needs of veterans of Operation Enduring Freedom and Operation Iraqi Freedom. However, problems continue to exist for military members and veterans including a lack of providers in parts of the State away from military bases and federal facilities and poor reimbursement rates under the Federal government's health care system for military members.

The Committee discussed and approved a legislative recommendation that the Institute of Medicine (IOM) assess the State's role as a partner with the federal government in providing mental health, developmental disabilities, and substance abuse services and to provide an inventory of State services currently available to members of the military, veterans, and their families. Pam Silberman, President and CEO of the North Carolina Institute of Medicine, discussed the availability of the IOM to undertake the study and the length of time needed to complete the study.

Next, Ms. Leza Wainwright, Co-Director, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Health and Human Services (DHHS) spoke to the Committee about veterans with Traumatic Brain Injury (TBI). According to Ms. Wainwright, 23 states have applied for and received a special Home and Community Based Services (HCBS) Medicaid Waiver that allows for home and

community based services instead of placement in a facility with nursing home level of care. The waiver applies to all eligible individuals with TBI but states can limit the number of people served.

The Committee discussed and approved a legislative recommendation directing the Department of Health and Human Services to apply for a Medicaid waiver to provide home and community based services and supports under Medicaid for individuals, including members of the military and veterans, with traumatic brain injury.

Next, the Committee discussed and approved a legislative recommendation that the Revisor of Statutes be directed to amend the words "national guard" to "National Guard" wherever they appear in the statutes.

The last presentation at this meeting was a chart created by William R. Gilkeson, Staff Attorney, that shows the instances in the North Carolina General Statutes where the term "veteran" and related terms are defined. The chart is a tool to help legislators see the different definitions that currently exist and to point out inconsistencies that might need to be further examined. Mr. Gilkeson also explained how the State definitions are at odds with corresponding federal definitions.

The Committee discussed and approved a recommendation that the definitions of "veteran" and related terms be rewritten to improve clarity and, where appropriate, to fit with corresponding definitions in federal law.

The Committee also voted to send a letter to the North Carolina Congressional delegation requesting their help in getting the federal government to meet its obligations to our veterans.

FINDINGS AND RECOMMENDATIONS

FINDING 1: IOM STUDY OF STATE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FOR ACTIVE AND RESERVE MILITARY MEMBERS, VETERANS, AND THEIR FAMILIES

At the December 4th meeting of the Committee, Dr. Michael Lancaster, Co-Director, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Health and Human Services (DHHS), spoke about State mental health services available to members of the military, veterans, and their families. Dr. Lancaster noted that in 2005, DHHS recognized that Operation Enduring Freedom and Operation Iraqi Freedom brought with them a unique set of mental health issues for returning members of the military and veterans. When these individuals were not near military bases or Veteran's Administration (VA) facilities, they were often seeking assistance from the State, not the federal government. Even those near federal facilities, were seeking treatment from the State because of the stigma attached to treatment for mental health and substance abuse problems.

At the 2006 Governor's Summit on Returning Combat Veterans and their Families, a partnership was formed between the State and federal governments, and community providers and programs to address this situation. From this summit came the Governor's Taskforce on Returning Veterans and their Families which has sought to promote best practices for veterans and their families. Among its initiatives are the following: (1) funding for the NC Careline to provide access to information by telephone and e-mail; (2) seeking additional DHHS positions specifically focused on veterans and their families; and (3) securing training for providers to better address the unique problems of veterans and their families such as Post Traumatic Stress Disorder.

However, problems continue to exist for military members and veterans such as a lack of providers in the piedmont and western areas of the State away from military bases and federal facilities, and a lack of available services and providers because of poor provider reimbursement rates under TRICARE, the Federal government's health care system for military members.

To assess the State's role as a partner with the federal government in providing mental health, developmental disabilities, and substance abuse services and to provide an inventory of State services currently available to members of the military, veterans, and their families, the Committee finds that a study by the Institute of Medicine (IOM) is needed. Such a study could identify those services needed by these individuals, provide guidance when allocating scarce State resources available for mental health and substance abuse services and assist in establishing the most efficient means for delivery of these services.

RECOMMENDATION 1: DIRECT THE IOM TO STUDY THE STATE MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES FOR ACTIVE AND RESERVE MILITARY MEMBERS, VETERANS, AND THEIR FAMILIES

The Joint Study Committee on Military and Veterans' Affairs recommends that the North Carolina Institute of Medicine (IOM) conduct a study of mental health, developmental disabilities, and substance abuse services provided by the State to active and reserve members of the military and National Guard, veterans, and their families and the need for increased State services to these individuals. The Committee recommends that the IOM file a final report on this study with the Joint Legislative Commission on Governmental Operations and the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services prior to or upon the convening of the 2010 Regular Session of the 2009 General Assembly. (See Legislative Proposal I on page 14)

FINDING 2: MEDICAID WAIVER FOR TRAUMATIC BRAIN INJURY

Ms. Leza Wainwright, Co-Director, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Health and Human Services (DHHS) spoke to the Committee on December 4, 2008 to discuss a possible application by the State for a Medicaid waiver to provide home and community based services for individuals with Traumatic Brain Injury (TBI), including members of the military and veterans. As noted by Ms. Wainwright, TBI has become the signature wound of the Iraq and Afghanistan Wars with some 50% of returning veterans suffering from TBI. This compares to an estimated 14% to 18% of returning veterans in the Vietnam War. TBI is an injury to the head caused by an external physical force which causes the brain to be bruised, torn, sheared or twisted. TBIs may be mild, moderate or severe depending on the length of time a person loses consciousness, the length of amnesia, and the results of MRIs and CAT scans. Even some individuals with a mild TBI may experience lifelong symptoms requiring ongoing supports. Ms. Wainwright explained that the types of services needed by those with TBI include case management, therapy (physical, speech, behavioral), adaptive equipment, vehicle and home modifications, individual and caregiver education and training, supported employment, in-home and personal care, day or residential services, respite, and transportation.

According to Ms. Wainwright, 23 states have applied for and received a special Home and Community Based Services (HCBS) Medicaid Waiver. Waivers may target certain groups such as those with TBI, but may not limit subgroups within a target group such as veterans. If granted, the waiver would apply to all eligible individuals with TBI. States can limit the number of people served by a waiver by capping the amount of State dollars spent under the waiver. As Ms. Wainwright explained, an HCBS Waiver permits states to waive certain Medicaid requirements, such as statewide application of the waiver benefit. Financial eligibility requirements may also be expanded to receive benefits under the

waiver. The waiver would only serve those individuals qualifying for long term institutional care, but would allow those individuals to receive home and community based services instead of institutional care.

Applying for, receiving, and implementing a waiver generally requires a minimum of 15 months.

RECOMMENDATION 2: DIRECT DHHS TO APPLY FOR A MEDICAID WAIVER FOR TRAUMATIC BRAIN INJURY

The Joint Study Committee on Military and Veterans' Affairs recommends that the Department of Health and Human Services apply for a Medicaid waiver to provide home and community based services and supports under Medicaid for individuals, including members of the military and veterans, with traumatic brain injury. The Committee recommends that the Department report to the Joint Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services prior to or on the convening of the 2010 Regular Session of the 2009 General Assembly on the status of the waiver. (See **Legislative Proposal II** on page 15)

FINDING 3: CAPITALIZATION OF NATIONAL GUARD IN THE STATUTES

Rep. Martin stated to the Committee that the words "national guard," were not always capitalized in the General Statutes and that it would be appropriate to capitalize them. [e.g., S.L. 2007-60: "North Carolina national guard"; S.L. 2007-269, S.L. 2007-175: "North Carolina National Guard"]. The Committee finds that it would be appropriate to do so.

RECOMMENDATION 3: AMEND THE GENERAL STATUTES TO CAPITALIZE THE INITIAL LETTERS OF THE WORDS "NATIONAL GUARD" WHEREVER THEY APPEAR.

The Joint Study Committee on Military and Veterans' Affairs recommends that the Revisor of Statutes be directed to amend the words "national guard" to "National Guard" wherever they appear in the statutes. (See **Legislative Proposal III** on page 16)

FINDING 4:

The Committee finds that the North Carolina General Statutes contain several definitions of the term "veteran" and related terms that are confusing and apparently at odds with each other and with corresponding definitions in federal law. (See Appendix A on page 18 and Appendix B on page 25)

RECOMMENDATION 4:

The Committee recommends that the definitions of "veteran" and related terms be rewritten to improve clarity and, where appropriate, to fit with corresponding definitions in federal law.

RECOMMENDATION 5:

The Committee recommends that the cochairs send a letter to the North Carolina Congressional delegation requesting their help in getting the federal government to meet its obligations to our veterans.

PROPOSED LEGISLATION

Legislative Proposal I

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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BILL DRAFT 2009-RGz-1 [v.6] (12/04)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/9/2008 10:03:06 AM**

Short Title: IOM Study.

(Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE INSTITUTE OF MEDICINE TO STUDY THE
PROVISION OF STATE MENTAL HEALTH, DEVELOPMENTAL
DISABILITY, AND SUBSTANCE ABUSE SERVICES TO ACTIVE AND
RESERVE MEMBERS OF THE MILITARY AND NATIONAL GUARD,
VETERANS, AND THEIR FAMILIES AS RECOMMENDED BY THE
JOINT STUDY COMMITTEE ON MILITARY AND VETERANS'
AFFAIRS.

The General Assembly of North Carolina enacts:

SECTION 1. Of the funds appropriated to the Department of Health and Human Services for allocation to the North Carolina Institute of Medicine (IOM) to undertake studies at the request of the General Assembly, the IOM shall study the provision of mental health, developmental disability, and substance abuse services by the State to active and reserve members of the military and National Guard, veterans, and their families including current services provided by the State and the need for increased State services to these individuals.

SECTION 2. The IOM shall submit a final report to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Oversight Committee on Mental Health Developmental Disabilities, and Substance Abuse Services prior to or upon the convening of the 2010 Regular Session of the 2009 General Assembly.

SECTION 3. This act becomes effective July 1, 2009.

Legislative Proposal II

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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BILL DRAFT 2009-RGz-2 [v.5] (12/04)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/9/2008 10:04:13 AM**

Short Title: TBI-Medicaid Waiver.

(Public)

Sponsors: .

Referred to:

A BILL TO BE ENTITLED
AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SEEK A MEDICAID WAIVER TO PROVIDE MEDICAID SERVICES FOR INDIVIDUALS WITH TRAUMATIC BRAIN INJURY AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON MILITARY AND VETERANS' AFFAIRS.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services shall develop and apply to the Centers for Medicare and Medicaid Services for a waiver to provide home and community based services and supports under Medicaid for individuals with traumatic brain injury. On or before the convening of the 2010 Regular Session of the 2009 General Assembly, the Department shall report to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services on the status of the waiver required under this act.

SECTION 2. This act is effective when it becomes law.

Legislative Proposal III

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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D

BILL DRAFT 2009-RK-5 [v.1] (12/09)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/9/2008 12:12:05 PM**

Short Title: Capitalize National Guard.

(Public)

Sponsors:

Referred to:

A BILL TO BE ENTITLED
AN ACT TO CREATE UNIFORMITY IN THE SPELLING OF THE WORD
NATIONAL GUARD IN STATE LAWS AND TO APPROPRIATELY
RECOGNIZE THE NORTH CAROLINA NATIONAL GUARD BY
CAPITALIZING THE INITIAL LETTERS, AS RECOMMENDED BY THE
JOINT STUDY COMMITTEE ON MILITARY AND VETERANS
AFFAIRS.

The General Assembly of North Carolina enacts:

SECTION 1. The Revisor of Statutes shall modify the phrase "national guard" to read "National Guard" wherever it appears in the General Statutes.

SECTION 2. This act is effective when it becomes law.

APPENDIXES

Appendix A

Federal Definition of "veteran" and Related Terms

Effective: October 10, 2008

United States Code Annotated Currentness
Title 38. Veterans' Benefits (Refs & Annos)
Part I. General Provisions (Refs & Annos)
Chapter 1. General (Refs & Annos)

§ 101. Definitions

For the purposes of this title--

(1) The terms "Secretary" and "Department" mean the Secretary of Veterans Affairs and the Department of Veterans Affairs, respectively.

(2) The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

(3) The term "surviving spouse" means (except for purposes of chapter 19 of this title) a person of the opposite sex who was the spouse of a veteran at the time of the veteran's death, and who lived with the veteran continuously from the date of marriage to the date of the veteran's death (except where there was a separation which was due to the misconduct of, or procured by, the veteran without the fault of the spouse) and who has not remarried or (in cases not involving remarriage) has not since the death of the veteran, and after September 19, 1962, lived with another person and held himself or herself out openly to the public to be the spouse of such other person.

(4)(A) The term "child" means (except for purposes of chapter 19 of this title (other than with respect to a child who is an insurable dependent under subparagraph (B) or (C) of section 1965(10) of such chapter) and section 8502(b) of this title) a person who is unmarried and--

(i) who is under the age of eighteen years;

(ii) who, before attaining the age of eighteen years, became permanently incapable of self-support; or

(iii) who, after attaining the age of eighteen years and until completion of education or training (but not after attaining the age of twenty-three years), is pursuing a course of instruction at an approved educational institution;

and who is a legitimate child, a legally adopted child, a stepchild who is a member of a veteran's household or was a member at the time of the veteran's death, or an illegitimate child but, as to the alleged father, only if acknowledged in writing signed by him, or if he has been judicially ordered to contribute to the child's support or has been, before his death, judicially decreed to be the father of such child, or if he is otherwise shown by evidence satisfactory to the Secretary to be the father of such child. A person shall be deemed, as

of the date of death of a veteran, to be the legally adopted child of such veteran if such person was at the time of the veteran's death living in the veteran's household and was legally adopted by the veteran's surviving spouse before August 26, 1961, or within two years after the veteran's death; however, this sentence shall not apply if at the time of the veteran's death, such person was receiving regular contributions toward the person's support from some individual other than the veteran or the veteran's spouse, or from any public or private welfare organization which furnishes services or assistance for children. A person with respect to whom an interlocutory decree of adoption has been issued by an appropriate adoption authority shall be recognized thereafter as a legally adopted child, unless and until that decree is rescinded, if the child remains in the custody of the adopting parent or parents during the interlocutory period. A person who has been placed for adoption under an agreement entered into by the adopting parent or parents with any agency authorized under law to so act shall be recognized thereafter as a legally adopted child, unless and until such agreement is terminated, if the child remains in the custody of the adopting parent or parents during the period of placement for adoption under such agreement. A person described in clause (ii) of the first sentence of this subparagraph who was a member of a veteran's household at the time the person became 18 years of age and who is adopted by the veteran shall be recognized as a legally adopted child of the veteran regardless of the age of such person at the time of adoption.

(B) For the purposes of subparagraph (A) of this paragraph, in the case of an adoption under the laws of any jurisdiction other than a State (as defined in section 101(20) of this title and including the Commonwealth of the Northern Mariana Islands)--

(i) a person residing outside any of the States shall not be considered to be a legally adopted child of a veteran during the lifetime of such veteran (including for purposes of this subparagraph a Commonwealth Army veteran or new Philippine Scout, as defined in section 3566 of this title) unless such person--

(I) was less than eighteen years of age at the time of adoption;

(II) is receiving one-half or more of such person's annual support from such veteran;

(III) is not in the custody of such person's natural parent, unless such natural parent is such veteran's spouse; and

(IV) is residing with such veteran (or in the case of divorce following adoption, with the divorced spouse who is also an adoptive or natural parent) except for periods during which such person is residing apart from such veteran (or such divorced spouse) for purposes of full-time attendance at an educational institution or during which such person or such veteran (or such divorced spouse) is confined in a hospital, nursing home, other health-care facility, or other institution; and

(ii) a person shall not be considered to have been a legally adopted child of a veteran as of the date of such veteran's death and thereafter unless--

(I) at any time within the one-year period immediately preceding such veteran's death, such veteran was entitled to and was receiving a dependent's allowance or similar monetary benefit under this title for such person; or

(II) for a period of at least one year prior to such veteran's death, such person met the requirements of clause (i) of this subparagraph.

(5) The term "parent" means (except for purposes of chapter 19 of this title) a father, a mother, a father through adoption, a mother through adoption, or an individual who for a period of not less than one year

stood in the relationship of a parent to a veteran at any time before the veteran's entry into active military, naval, or air service or if two persons stood in the relationship of a father or a mother for one year or more, the person who last stood in the relationship of father or mother before the veteran's last entry into active military, naval, or air service.

(6) The term "Spanish-American War" (A) means the period beginning on April 21, 1898, and ending on July 4, 1902, (B) includes the Philippine Insurrection and the Boxer Rebellion, and (C) in the case of a veteran who served with the United States military forces engaged in hostilities in the Moro Province, means the period beginning on April 21, 1898, and ending on July 15, 1903.

(7) The term "World War I" (A) means the period beginning on April 6, 1917, and ending on November 11, 1918, and (B) in the case of a veteran who served with the United States military forces in Russia, means the period beginning on April 6, 1917, and ending on April 1, 1920.

(8) The term "World War II" means (except for purposes of chapters 31 and 37 of this title) the period beginning on December 7, 1941, and ending on December 31, 1946.

(9) The term "Korean conflict" means the period beginning on June 27, 1950, and ending on January 31, 1955.

(10) The term "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof.

(11) The term "period of war" means the Spanish-American War, the Mexican border period, World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress.

(12) The term "veteran of any war" means any veteran who served in the active military, naval, or air service during a period of war.

(13) The term "compensation" means a monthly payment made by the Secretary to a veteran because of service-connected disability, or to a surviving spouse, child, or parent of a veteran because of the service-connected death of the veteran occurring before January 1, 1957.

(14) The term "dependency and indemnity compensation" means a monthly payment made by the Secretary to a surviving spouse, child, or parent (A) because of a service-connected death occurring after December 31, 1956, or (B) pursuant to the election of a surviving spouse, child, or parent, in the case of such a death occurring before January 1, 1957.

(15) The term "pension" means a monthly or other periodic payment made by the Secretary to a veteran because of service, age, or non-service-connected disability, or to a surviving spouse or child of a veteran because of the non-service-connected death of the veteran.

(16) The term "service-connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty in the active military, naval, or air service.

(17) The term "non-service-connected" means, with respect to disability or death, that such disability was not incurred or aggravated, or that the death did not result from a disability incurred or aggravated, in line

of duty in the active military, naval, or air service.

(18) The term “discharge or release” includes (A) retirement from the active military, naval, or air service, and (B) the satisfactory completion of the period of active military, naval, or air service for which a person was obligated at the time of entry into such service in the case of a person who, due to enlistment or reenlistment, was not awarded a discharge or release from such period of service at the time of such completion thereof and who, at such time, would otherwise have been eligible for the award of a discharge or release under conditions other than dishonorable.

(19) The term “State home” means a home established by a State (other than a possession) for veterans disabled by age, disease, or otherwise who by reason of such disability are incapable of earning a living. Such term also includes such a home which furnishes nursing home care for veterans.

(20) The term “State” means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. For the purpose of section 2303 and chapters 34 and 35 of this title, such term also includes the Canal Zone.

(21) The term “active duty” means--

(A) full-time duty in the Armed Forces, other than active duty for training;

(B) full-time duty (other than for training purposes) as a commissioned officer of the Regular or Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to “full military benefits” or (iii) at any time, for the purposes of chapter 13 of this title;

(C) full-time duty as a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey (i) on or after July 29, 1945, or (ii) before that date (I) while on transfer to one of the Armed Forces, or (II) while, in time of war or national emergency declared by the President, assigned to duty on a project for one of the Armed Forces in an area determined by the Secretary of Defense to be of immediate military hazard, or (III) in the Philippine Islands on December 7, 1941, and continuously in such islands thereafter, or (iii) at any time, for the purposes of chapter 13 of this title;

(D) service as a cadet at the United States Military, Air Force, or Coast Guard Academy, or as a midshipman at the United States Naval Academy; and

(E) authorized travel to or from such duty or service.

(22) The term “active duty for training” means--

(A) full-time duty in the Armed Forces performed by Reserves for training purposes;

(B) full-time duty for training purposes performed as a commissioned officer of the Reserve Corps of the Public Health Service (i) on or after July 29, 1945, or (ii) before that date under circumstances affording entitlement to “full military benefits”, or (iii) at any time, for the purposes of chapter 13 of this title;

(C) in the case of members of the Army National Guard or Air National Guard of any State, full-time duty under section 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law;

(D) duty performed by a member of a Senior Reserve Officers' Training Corps program when ordered to such duty for the purpose of training or a practice cruise under chapter 103 of title 10 for a period of not less than four weeks and which must be completed by the member before the member is commissioned; and

(E) authorized travel to or from such duty.

The term does not include duty performed as a temporary member of the Coast Guard Reserve.

(23) The term “inactive duty training” means--

(A) duty (other than full-time duty) prescribed for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by the Secretary concerned under section 206 of title 37 or any other provision of law;

(B) special additional duties authorized for Reserves (including commissioned officers of the Reserve Corps of the Public Health Service) by an authority designated by the Secretary concerned and performed by them on a voluntary basis in connection with the prescribed training or maintenance activities of the units to which they are assigned; and

(C) training (other than active duty for training) by a member of, or applicant for membership (as defined in section 8140(g) of title 5) in, the Senior Reserve Officers' Training Corps prescribed under chapter 103 of title 10.

In the case of a member of the Army National Guard or Air National Guard of any State, such term means duty (other than full-time duty) under sections 316, 502, 503, 504, or 505 of title 32, or the prior corresponding provisions of law. Such term does not include (i) work or study performed in connection with correspondence courses, (ii) attendance at an educational institution in an inactive status, or (iii) duty performed as a temporary member of the Coast Guard Reserve.

(24) The term “active military, naval, or air service” includes--

(A) active duty;

(B) any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty; and

(C) any period of inactive duty training during which the individual concerned was disabled or died--

(i) from an injury incurred or aggravated in line of duty; or

(ii) from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.

(25) The term “Secretary concerned” means--

(A) the Secretary of the Army, with respect to matters concerning the Army;

- (B) the Secretary of the Navy, with respect to matters concerning the Navy or the Marine Corps;
- (C) the Secretary of the Air Force, with respect to matters concerning the Air Force;
- (D) the Secretary of Homeland Security, with respect to matters concerning the Coast Guard;
- (E) the Secretary of Health and Human Services, with respect to matters concerning the Public Health Service; and
- (F) the Secretary of Commerce, with respect to matters concerning the National Oceanic and Atmospheric Administration or its predecessor organization the Coast and Geodetic Survey.

(26) The term “Reserve” means a member of a reserve component of one of the Armed Forces.

(27) The term “reserve component” means, with respect to the Armed Forces--

- (A) the Army Reserve;
- (B) the Navy Reserve;
- (C) the Marine Corps Reserve;
- (D) the Air Force Reserve;
- (E) the Coast Guard Reserve;
- (F) the Army National Guard of the United States; and
- (G) the Air National Guard of the United States.

(28) The term “nursing home care” means the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require nursing care and related medical services, if such nursing care and medical services are prescribed by, or are performed under the general direction of, persons duly licensed to provide such care. Such term includes services furnished in skilled nursing care facilities, in intermediate care facilities, and in combined facilities. It does not include domiciliary care.

(29) The term “Vietnam era” means the following:

(A) The period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period.

(B) The period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.

(30) The term “Mexican border period” means the period beginning on May 9, 1916, and ending on April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders thereof, or in the waters adjacent thereto.

(31) The term “spouse” means a person of the opposite sex who is a wife or husband.

(32) The term “former prisoner of war” means a person who, while serving in the active military, naval or air service, was forcibly detained or interned in line of duty--

(A) by an enemy government or its agents, or a hostile force, during a period of war; or

(B) by a foreign government or its agents, or a hostile force, under circumstances which the Secretary finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war.

(33) The term “Persian Gulf War” means the period beginning on August 2, 1990, and ending on the date thereafter prescribed by Presidential proclamation or by law.

CREDIT(S)

(Pub.L. 85-857, Sept. 2, 1958, 72 Stat. 1106; Pub.L. 86-195, Aug. 25, 1959, 73 Stat. 424; Pub.L. 87-674, § 1, Sept. 19, 1962, 76 Stat. 558; Pub.L. 87-815, § 3, Oct. 15, 1962, 76 Stat. 927; Pub.L. 88-450, § 4(c), (d), Aug. 19, 1964, 78 Stat. 504; Pub.L. 89-311, § 2(c)(1), Oct. 31, 1965, 79 Stat. 1155; Pub.L. 89-358, § 4(d), Mar. 3, 1966, 80 Stat. 24; Pub.L. 90-77, Title II, § 201, Aug. 31, 1967, 81 Stat. 181; Pub.L. 91-24, §§ 1(a), (b), 16, June 11, 1969, 83 Stat. 33, 35; Pub.L. 91-262, § 1, May 21, 1970, 84 Stat. 256; Pub.L. 91-588, § 9(a), (b), Dec. 24, 1970, 84 Stat. 1584; Pub.L. 91-621, § 6(a)(1), (2), Dec. 31, 1970, 84 Stat. 1864; Pub.L. 92-198, § 5(a), Dec. 15, 1971, 85 Stat. 664; Pub.L. 92-540, Title IV, § 407, Oct. 24, 1972, 86 Stat. 1092; Pub.L. 94-169, Title I, § 101(1), Dec. 23, 1975, 89 Stat. 1013; Pub.L. 94-417, § 1(b), Sept. 21, 1976, 90 Stat. 1277; Pub.L. 95-126, § 3, Oct. 8, 1977, 91 Stat. 1108; Pub.L. 95-202, Title III, § 309(a), Nov. 23, 1977, 91 Stat. 1446; Pub.L. 95-588, Title III, § 301, Nov. 4, 1978, 92 Stat. 2506; Pub.L. 96-22, Title IV, § 401, June 13, 1979, 93 Stat. 62; Pub.L. 97-37, § 3(a), Aug. 14, 1981, 95 Stat. 936; Pub.L. 97-295, § 4(2), (95)(A), Oct. 12, 1982, 96 Stat. 1304, 1313; Pub.L. 97-306, Title I, § 113(a), Oct. 14, 1982, 96 Stat. 1432; Pub.L. 98-223, Title II, § 201, Mar. 2, 1984, 98 Stat. 41; Pub.L. 99-576, Title VII, § 702(1), Oct. 28, 1986, 100 Stat. 3301; Pub.L. 100-322, Title I, § 103(a), Title III, § 311, May 20, 1988, 102 Stat. 493, 534; Pub.L. 100-456, Div. A, Title VI, § 633(c), Sept. 29, 1988, 102 Stat. 1987; Pub.L. 101-237, § 2(a), Dec. 18, 1989, 103 Stat. 2062; Pub.L. 102-25, Title III, § 332, Apr. 6, 1991, 105 Stat. 88; Pub.L. 102-40, Title IV, § 402(d)(1), May 7, 1991, 105 Stat. 239; Pub.L. 102-54, § 14(a)(1), June 13, 1991, 105 Stat. 282; Pub.L. 102-83, §§ 4(a)(3), (4), (b)(1), (2)(E), 5(c)(1), Aug. 6, 1991, 105 Stat. 404 to 406; Pub.L. 103-446, Title XII, § 1201(a)(1), Nov. 2, 1994, 108 Stat. 4682; Pub.L. 104-275, Title V, § 505(a), Oct. 9, 1996, 110 Stat. 3342; Pub.L. 106-419, Title III, § 301(a), Nov. 1, 2000, 114 Stat. 1852; Pub.L. 107-14, § 4(a)(2), June 5, 2001, 115 Stat. 26; Pub.L. 107-296, Title XVII, § 1704(d), Nov. 25, 2002, 116 Stat. 2315; Pub.L. 109-163, Div. A, Title V, § 515(e)(1), Jan. 6, 2006, 119 Stat. 3236; Pub.L. 109-444, § 8(b)(1), Dec. 21, 2006, 120 Stat. 3313; Pub.L. 109-461, Title X, § 1004(b)(1), 1006(b), Dec. 22, 2006, 120 Stat. 3466, 3468; Pub.L. 110-389, Title III, § 402(b), Oct. 10, 2008, 122 Stat. 4174.)

Appendix B

Definitions of "veteran" in the North Carolina General Statutes

Compiled by William R. Gillkeson, Co-Counsel to Joint Study Committee on Military and Veterans' Affairs, October 2008

Term defined	Citation for definition	Text or Summary of definition	What statutory territory definition covers	Covered sections in which defined term appears
"Congressionally chartered veterans organizations"	18B-1000(9) (Definitions concerning establishments)	"An establishment that is organized as a federally chartered, nonprofit veterans organization."	Chapter 18B – Alcoholic Beverages	18B-1001. Kinds of ABC permits; places eligible. 18B-1006(b). Miscellaneous provisions on permits. (b) Lockers at Clubs.
"qualified veteran"	65-43 (Definitions)	[complicated]	Article 8A of Chapter 65 – Veterans Cemeteries	65-43.1. Eligibility for interment in a State veterans cemetery. 65-43.5. Reinterment.
"veteran"	96-9(c)(2)b. (Contributions)	Refers to federal law – whatever covers 38 U.S.C. 2021	In Chapter 96 (Employment Security) but does not indicate span of coverage	96-9(c)(2)b. Contributions (Employment Security – Unemployment Insurance Div.)
"veteran"	105-275(5) (Property classified and excluded from the tax base)	Refers to vehicles the US govt gives to veterans on account of disabilities suffered in WW2, Korea, Vietnam.	105-275(5) – Property classified and excluded from the tax base	105-275(5) Property classified and excluded from the tax base
"disabled veteran"	105-275(5a) (Property classified and excluded from the tax base)	Refers to 38 U.S.C. 3901	105-275 Property classified and excluded from the tax base	105-275(5a) and (21) Property classified and excluded from the tax base
"disabled veteran"	113-174.2(c)(6)j. (Coastal Recreational Fishing Licensee)	Refers to federal determination	?	?
"disabled veteran"	113-270.1C (Combination hunting and inland fishing licenses)	Refers to federal determination	?	?

Definitions of "veteran" in the North Carolina General Statutes

Term defined	Citation for definition	Text or Summary of definition	What statutory territory definition covers	Covered sections in which defined term appears
"disabled veteran"	113-270.1D (Sportsman licenses)	Refers to federal determination	?	?
"disabled veteran"	113-271 (Hook-and-line licenses in inland and joint fishing waters)	Refers to federal determination	?	?
"disabled veteran"	113-351 (Unified hunting and fishing licenses; subsistence license waiver)	Refers to federal determination	?	?
"veteran"	115C-12 (Powers and duties of the Board generally)	All honorably discharged veterans of WW2, Korea, and Vietnam	?	?
"veteran"	126-81(2) (Definitions)	"a person who served in the Armed Forces of the U.S. on active duty, for reasons other than training, and has been discharged under other than dishonorable conditions"	Article 13 (Veterans Preferences) of Chapter 126 (State Personnel) and also 126-34.1 (Grounds for contested case under State Personnel Act defined)	126-82 State Personnel Commn to provide for preference
"eligible veteran"	126-81(3) (Definitions)	"a <u>veteran</u> who served during a <u>period of war</u> or the spouse of a disabled <u>veteran</u> or the surviving spouse of dependent of a <u>veteran</u> who dies on active duty during a <u>period of war</u> either directly or indirectly as a result of such service or a <u>veteran</u> who suffered a service-connected disability during peacetime or the spouse of a <u>veteran</u> [who suffered a service-connected disability during peacetime] or the surviving spouse or dependant of a person who served in the Armed Forces of the US on active duty, for reasons other than training, who died for service related reasons during peacetime."	Article 13 (Veterans Preferences) of Chapter 126 (State Personnel) and also 126-34.1 (Grounds for contested case under State Personnel Act defined)	

Definitions of "veteran" in the North Carolina General Statutes

Term defined	Citation for definition	Text or Summary of definition	What statutory territory definition covers	Covered sections in which defined term appears
"period of war"	126-81(1) (Definitions)	"includes WW1 (4-16-17 thru 11-11-18), WW2 (12-7-41 thru 12-31-46), the Korean Conflict (6-27-50 thru 1-31-55), the period of time between 1-31-55 and the end of hostilities in Vietnam (5-7-75), or any other campaign, expedition, or engagement for which a campaign badge or medal is authorized by the USDOD."	Article 13 (Veterans Preferences) of Chapter 126 (State Personnel) and also 126-34.1 (Grounds for contested case under State Personnel Act defined)	
"veteran," "eligible veteran," and "period of war"	128-15(b) (Employment preferences for veterans and their spouses or surviving spouses)	Same as 126-81	128-15 (Employment preference for veterans and their spouses or surviving spouses)	
"veterans who have served in any period of war"	143B-399 (Veteran's Affairs Commn – creation, powers, and duties)	Refers to 38 USC 101 definition of "period of war"	? (deals with awarding of NC Services Medal by VAC)	?
"veteran"	165-3(4) Definitions	"For qualifying as a voting member of the State Board of Veterans Affairs and as the State Director of Veterans Affairs, any person who served honorably during a period of war as defined in Title 38, USC. For entitlement to the services of the Dept of Administration, any person who may be entitled to any benefits or rights under the laws of the US by reason of service in the armed forces of the US"	Article 3 (Dept. of Administration) of Chapter 165 (Veterans)	165-4 (Purpose) 165-6 (Powers and duties of the Dept.) 165-10 (Transfer of veterans' activities) 165-11 (Copies of records to be furnished to the DOA)
"veteran"	165-13 (Definitions)	"any person who may be entitled to any benefits or rights under the laws of the US, by reason of service in the armed forces of the US"	Article 2 (Minor Veterans) of Chapter 165 (Veterans)	165-14 (Application of Article) 165-15 (Purpose of Article) 165-16 (Rights conferred; limitation)
"veteran"	165-17 (Definitions)	"any person who may be entitled to any benefits or rights under the laws of the US, by reason of service in the armed forces of the US"	Article 3 (Minor Spouses of Veterans) of Chapter 165 (Veterans)	165-18 (Rights conferred)

Definitions of "veteran" in the North Carolina General Statutes

Term defined	Citation for definition	Text or Summary of definition	What statutory territory definition covers	Covered sections in which defined term appears
"veteran"	165-20(7) (Definitions)	"a person who served as a member of the armed forces of the US in active federal service during a <u>period of war</u> and who was separated from the armed forces under conditions other than dishonorable. A person who was separated from the armed forces under conditions other than dishonorable and whose death or disability was incurred (i) as a direct result of armed conflict or (ii) while engaged in extra-hazardous service, including such service under conditions simulating war, shall also be deemed a "veteran" and such death or disability shall be considered wartime service-connected."	Article 4 (Scholarships for Children of War Veterans) of Chapter 165 (Veterans)	165-22 (Classes and categories of eligibility under which scholarships may be awarded) 165-22.1 Administration and funding)
"period of war" and "wartime"	165-20(4) (Definitions)	"any of the periods or circumstances as defined below: <ul style="list-style-type: none"> • WW1 (4-6-17 thru 11-11-18 and in the case of a veteran who served in the US armed forces in Russia, the period beginning 4-6-17 thru 4-1-20) • WW2 (12-7-41 thru 12-31-46) • Korean Conflict (4-27-50 thru 1-31-55) • Vietnam era (8-5-64 thru 5-7-75) • Persian Gulf War (8-2-90 thru the date prescribed by Presidential proclamation or concurrent resolution of the US Congress) • Any period of service in the armed forces during which the veteran parent of an applicant for a scholarship under this Article suffered death or disability (i) as a direct result of armed conflict or (ii) while engaged in extra-hazardous service, including such service under conditions simulating war." 	Article 4 (Scholarships for Children of War Veterans) of Chapter 165 (Veterans)	
"veteran"	165-25 (Definitions)	"shall include every person who has enlisted or who has been inducted, warranted or commissioned, and who served honorably in active duty in the military or naval service of the US at any time, and who is honorably separated or discharged from such service, or who, at the time of making use of the facilities, is still in active service, or has been retired, or who has been furloughed to a reserve. The definition shall be liberally construed, with a view completely to effectuate the purpose and intent of this Article."	Article 5 (Veterans' Recreational Authorities) of Chapter 165 (Veterans)	165-26 (Creation of authority) 165-28 (Duty of the authority and commissioners of the authority) 165-165-29 (Interested commissioners or employees) 165-31 (Powers of authority)

Definitions of "veteran" in the North Carolina General Statutes

Term defined	Citation for definition	Text or Summary of definition	What statutory territory definition covers	Covered sections in which defined term appears
"veterans of the Korean Conflict"	165-44(a) (Korean and Vietnam veterans; benefits and privileges)	"those persons serving in the armed forces of the US 6-27-50 thru 1-31-55."	165-44 (Korean and Vietnam veterans; benefits and privileges) 165-44(a) extends "all benefits and privileges now granted by the laws of this State to veterans of WW1 and WW2 and their dependents and next of kin" to "veterans of the Korean Conflict and their dependents and next of kin"	165-44
"veterans of the Vietnam era"	165-44(b)	"those persons serving in the armed forces of the US 8-5-64 and ending on such date as shall be prescribed by Presidential proclamation or concurrent resolution of the Congress."	165-44 (Korean and Vietnam veterans; benefits and privileges) 165-44(b) extends "all benefits and privileges granted by the laws of this State to veterans of WW1, WW2, the Korean Conflict, and their dependents and next of kin" to "veterans of the Vietnam era and their dependents and next of kin"	165-44