

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1414
(Representatives L. Meier, Dosch, Grande, Nathe)
(Senators Dever, Lyson)

AN ACT to create and enact section 39-04-10.14 of the North Dakota Century Code, relating to the issuance of special plates for surviving family members of fallen members of the United States military.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Section 39-04-10.14 of the North Dakota Century Code is created and enacted as follows:

39-04-10.14. North Dakota Gold Star number plates - Definition - Description - Fee.

1. The director may issue distinctive number plates to a surviving spouse, parent, including stepmother, stepfather, parent through adoption, and foster parent who stands or stood in loco parentis, grandparents, child, including stepchild and child through adoption, and sibling, including half-brother and half-sister, of a member of the armed forces of the United States who died while serving on active duty during a time of military conflict. The director shall issue a number plate under this section upon receiving:
 - a. Payment of all other fees required under this chapter for registration of a motor vehicle;
 - b. Payment of an initial fee of fifteen dollars, of which ten dollars is to be deposited in the highway tax distribution fund and five dollars is to be deposited in the veterans' cemetery maintenance fund; and
 - c. Verification of subsequent payments of an annual surcharge of ten dollars paid to the adjutant general.
2. The department shall collect the fees and the ten dollar surcharge under this section. The department shall report to the legislative assembly on the funds collected under this section during each legislative session. The department shall pay the funds collected for the veterans' cemetery and adjutant general to the adjutant general monthly. Within ten days of receipt of the funds, the adjutant general shall deposit five dollars of each initial fee in the veterans' cemetery maintenance fund and shall apportion the ten dollar surcharge and deposit five dollars in the veterans' cemetery trust fund and five dollars in the veterans' cemetery maintenance fund in the state treasury. The state treasurer may invest the fund in the same manner as the state investment board is authorized to make investments. At the request of the adjutant general, the interest in the veterans' cemetery trust fund must be deposited in the veterans' cemetery maintenance fund for the purpose of funding salaries and maintenance of the veterans' cemetery.
3. Plates issued under this section must bear a gold star emblem logo on the left side of the plate and the letters "GS" before the number. The director shall cooperate with the director of the department of veterans' affairs to design the gold star emblem logo. The director may issue one set of plates per eligible owner of a passenger motor vehicle or a truck the registered gross weight of which does not exceed twenty thousand pounds [4535.92 kilograms].

4. On request of the director, the department of veterans' affairs shall certify those surviving family members of deceased members of the United States armed forces listed above as eligible to receive the plates.
5. Once declared eligible for a Gold Star plate, the department may not remove the eligibility of a surviving family member.
6. Once a plate number is issued to an eligible family member, the department may not assign the plate to another eligible person.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1414.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State