



Task Force Meeting September 30, 2025

Kristen Root | General Counsel

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Agenda

1. Open Meeting Law, Minnesota Statute Chapter 13D
2. Task Force Enacting law, Laws of Minnesota 2025, Chapter 30, Article 2, Section 13
3. New Minnesota Statute 197.448, and the Hmong Veterans' Naturalization Act of 2000, Public Law 106-207

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Open Meeting Law

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Key Issues

- When does the Open Meeting Law apply
- Types of meetings and meeting notices
- Closed meetings
- Other considerations
- OML and data practices

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Open Meeting Law

With limited exceptions, all meetings of public bodies must be open to the public.

Minnesota Supreme Court stated three purposes:

- To prohibit actions taken at secret meetings
- To assure the public's right to be informed
- To give the public an opportunity to present its views to the public body

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What is a “meeting” subject to the law?

- The “quorum” rule

- *Moberg v. Independent School District No. 281*, 336 N.W.2d 510 (Minn. 1983).

- Two parts to the rule

1. Quorum (majority) or more of full public body, or quorum of any of the public body's committees, subcommittees, etc. – and
2. Quorum (majority) discusses, decides, or receives information as a group on issues relating to its official business

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Gatherings not covered by the law

- Gatherings of less than a quorum of members
- Chance or social gatherings (banquets, parties, etc.)
 - *St. Cloud Newspapers v. District 742 Community Schools*, 332 N.W.2d 1 (Minn. 1983).
- Trainings/team building
 - Attorney General opinion 63a-5, Feb. 5, 1975
 - Advisory Opinion 16-006

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Types of Meetings

- Regularly scheduled meetings (Minn. Stat. § 13D.04, subd. 1)
- Special meetings (Minn. Stat. § 13D.04, subd. 2)
- Emergency meetings (Minn. Stat. § 13D.04, subd. 3)

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Other considerations

- Journal of votes (section 13D.01, subd. 4)
- Members' materials (section 13D.01, subd. 6)
- Use of email
 - Avoid discussions or votes
 - Advisory Opinion 09-020
- Meeting locations

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Social media

- 13D.065 Use of social media
 - A member may communicate with the public via social media
 - OML and MGDPA still applies
 - Forum fully open to public
 - Does not include email

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Task Force Enacting Law

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Chapter 30, Article 2, Section 13

Subdivision 1. **Establishment; membership.** (a) The commissioner of veterans affairs must establish a Veterans of Special Guerilla Units and Irregular Forces in Laos Advisory Task Force.

(b) The advisory task force must consist of the commissioner, or a designee, and the following additional 12 members appointed by the commissioner, except as otherwise provided:

(1) a representative of the Minnesota Commanders Task Force designated by the Commanders Task Force;

(2) one member with direct experience in Military Assistance Command Vietnam Special Forces operations during the dates established in Minnesota Statutes, section 197.448, subdivision 1, clause (2);

(3) a United States armed forces veteran who served on active duty in Vietnam during the Vietnam War;

(4) a Hmong American Minnesota resident who served in the United States armed forces;

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Chapter 30, Article 2, Section 13

(5) two veterans of a special guerilla unit or irregular forces in Laos;

(6) one member with expertise in the history of allied irregular and surrogate forces during the dates established in Minnesota Statutes, section 197.448, subdivision 1, clause (2);

(7) one member with direct experience in United States intelligence or special operations in Southeast Asia during the dates established in Minnesota Statutes, section 197.448, subdivision 1, clause (2); and

(8) four legislators, with one member each appointed by the speaker of the house of representatives, the house Democratic-Farmer-Labor leader, the senate majority leader, and the senate minority leader.

Chapter 30, Article 2, Section 13

Subd. 2. Duties; report. (a) The task force must:

(1) establish criteria for determining which Minnesotans served in the special guerrilla units or with irregular forces in Laos; and

(2) establish criteria and a protocol to determine which Minnesotans who served in the special guerilla units or with irregular forces in Laos are deserving of the benefits of a veteran under Minnesota law and which veterans benefits should be extended to these Minnesotans.

(b) The task force must prepare a report to the legislature that includes the findings, criteria, protocol, and recommendations required under paragraph (a). The commissioner must deliver the report to the chairs and ranking minority members of the legislative committees with jurisdiction over veterans affairs policy and finance by February 15, 2026.



Minnesota Statute 197.448 and Hmong Veterans' Naturalization Act of 2000

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New MS 197.448

Sec. 9. [197.448] VETERAN OF THE SECRET WAR IN LAOS.

Subdivision 1. **Definition.** As used in this section, the term "veteran of the Secret War in Laos" means a person who resides in Minnesota and who:

(1) was naturalized as provided in section 2(1) of the federal Hmong Veterans' Naturalization Act of 2000, Public Law 106-207; or

(2) is a person who the commissioner of veterans affairs determines served honorably with a special guerrilla unit or with irregular forces that operated from a base in Laos in support of the armed forces of the United States at any time during the period beginning February 28, 1961, and ending May 14, 1975, and is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States.

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New MS 197.448

Subd. 2. Eligibility for benefits and privileges. (a) A veteran of the Secret War in Laos, as defined in subdivision 1, clause (1), is entitled to the benefits and privileges listed in paragraph (d) the day following the effective date of this act.

(b) A veteran of the Secret War in Laos, as defined in subdivision 1, clause (2), is entitled to the benefits and privileges listed in paragraph (d) after the commissioner of veterans affairs verifies the person's veteran status. The commissioner must not begin accepting applications for verification under this paragraph until the legislature enacts criteria and a protocol to determine:

(1) which Minnesotans served in special guerilla units or with irregular forces in Laos; and

(2) which of the Minnesotans who served in special guerilla units or with irregular forces in Laos are deserving of Minnesota veterans benefits.

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New MS 197.448

(c) If the commissioner verifies a person's status as a veteran of the Secret War in Laos, the commissioner must provide the person with a certificate of eligibility for the benefits and privileges listed in paragraph (d) on a form developed by the commissioner for this purpose. The commissioner must develop the form required under this paragraph no later than September 15, 2025.


(d) The following statutory benefits and privileges available to a veteran, as defined in section 197.447, are also available to a veteran of the Secret War in Laos: section 171.07, subdivision 15 (veteran designation on drivers' licenses and state identification cards); section 197.23 (purchase of grave markers); section 197.231 (honor guards); section 197.236 (state veterans cemeteries); section 197.455 (veterans preference); section 197.4551 (permissive preference for veterans in private employment); section 197.63 (vital records, certified copies); section 197.65 (renewal of professional licenses, motor vehicle registration, and drivers' licenses); and section 197.987 (honor and remember flag).

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MINNESOTA DEPARTMENT OF VETERANS AFFAIRS
Programs & Services

20 W 12th St, St Paul, MN 55155
Phone: 651-296-2562 • Fax: 651-296-3954
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Certification of Eligibility

Pursuant to Minn.Stat.197.448, the below individual:

Example MN SGU Veteran

Has been verified as a Veteran of the Secret War in Laos and is entitled to the statutory benefits and privileges available to a Veteran, as defined in section 197.447, listed below:

- **Section 171.07**, subdivision 15 (Veteran designation on drivers' licenses and state identification cards)
- **Section 197.23** (purchase of grave markers)
- **Section 197.231** (honor guards)
- **Section 197.236** (State Veterans Cemeteries)
- **Section 197.455** (Veterans preference)
- **Section 197.4551** (permissive preference for Veterans in private employment)
- **Section 197.63** (vital records, certified copies)
- **Section 197.65** (renewal of professional licenses, motor vehicle registration, and drivers' licenses)
- **Section 197.987** (honor and remember flag).

For any questions about this form or the benefits listed above, please contact the Minnesota Department of Veterans Affairs by calling 1-888-LinkVet (546-5838).

Ben Johnson
Deputy Commissioner

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Public Law 106-207

8 USC 1423 note. **SEC. 2. EXEMPTION FROM ENGLISH LANGUAGE REQUIREMENT FOR CERTAIN ALIENS WHO SERVED WITH SPECIAL GUERRILLA UNITS OR IRREGULAR FORCES IN LAOS.**

The requirement of paragraph (1) of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)(1)) shall not apply to the naturalization of any person—

(1) who—

(A) was admitted into the United States as a refugee from Laos pursuant to section 207 of the Immigration and Nationality Act (8 U.S.C. 1157); and

(B) served with a special guerrilla unit, or irregular forces, operating from a base in Laos in support of the United States military at any time during the period beginning February 28, 1961, and ending September 18, 1978;

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Public Law 106-207

SEC. 5. DETERMINATION OF ELIGIBILITY FOR EXEMPTION AND SPECIAL CONSIDERATION. 8 USC 1423 note.

(a) In determining a person's eligibility for an exemption under section 2 or special consideration under section 3, the Attorney General—

(1) shall review the refugee processing documentation for the person, or, in an appropriate case, for the person and the person's spouse, to verify that the requirements of section 2 relating to refugee applications and admissions have been satisfied;

(2) shall consider the documentation submitted by the person under section 4;

(3) may request an advisory opinion from the Secretary of Defense regarding the person's, or their spouse's, service in a special guerrilla unit, or irregular forces, described in section 2(1)(B); and

(4) may consider any documentation provided by organizations maintaining records with respect to Hmong veterans or their families.

(b) The Secretary of Defense shall provide any opinion requested under paragraph (3) to the extent practicable, and the Attorney General shall take into account any opinion that the Secretary of Defense is able to provide.

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Public Law 106-207

8 USC 1423 note. **SEC. 4. DOCUMENTATION OF QUALIFYING SERVICE.**

A person seeking an exemption under section 2 or special consideration under section 3 shall submit to the Attorney General documentation of their, or their spouse's, service with a special guerrilla unit, or irregular forces, described in section 2(1)(B), in the form of—

(1) original documents;

(2) an affidavit of the serving person's superior officer;

(3) two affidavits from other individuals who also were serving with such a special guerrilla unit, or irregular forces, and who personally knew of the person's service; or

(4) other appropriate proof.

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Thank You!

Kristen Root

Kristen.Root@state.mn.us

612-548-5956