

N.D.A.G. Letter to Ficek (March 18, 1986)

March 18, 1986

Mr. Vince H. Ficek
Dickinson City Attorney
P.O. Box 866
Dickinson, ND 58601-0866

Dear Mr. Ficek:

Thank you for your letter of February 21, 1986, wherein you inquire whether the disability of an honorably discharged veteran of the United States armed forces must be service-connected under the property tax exemption provisions of N.D.C.C. § 57-02-08(20)(b).

Enclosed is a copy of 1966 N.D. Atty. Gen. Op., 263. Based upon analysis of legislative history and statutory construction, the Attorney General concluded in that opinion "that before a veteran . . . can qualify for the exemption he must have a service connected disability of fifty percent or greater." Id. at 65.

This conclusion was reached again in 1975 N.D. Atty. Gen. Op., a copy of which is enclosed.

After reviewing these opinions, it is my belief that they have interpreted the exemption provisions correctly.

If you wish to discuss this matter further, please do not hesitate to call me.

Sincerely,

Nicholas J. Spaeth

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Enclosures