

**SECOND ENGROSSMENT
with Conference Committee Amendments**

REENGROSSED HOUSE BILL NO. 1057

Introduced by

Legislative Council

(Public Safety Committee)

1 A BILL for an Act to create and enact a new section to chapter 37-18 of the North Dakota
2 Century Code, relating to department of veterans' affairs employees; to amend and reenact
3 section 37-14-18 of the North Dakota Century Code, relating to county veterans' service
4 officers; to provide for reports to the legislative council; and to provide an appropriation.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 37-14-18 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **37-14-18. County veterans' service officer - Appointment - Duties.** The board of
9 county commissioners of each county of the state of North Dakota shall appoint, employ, and
10 pay, on a full-time or part-time basis, an officer to be known as a county veterans' service
11 officer. The veterans' affairs commissioner may work directly with county veterans' service
12 officers. An individual may serve as a county veterans' service officer in more than one county.
13 The appointment must be made with the prior advice of the commissioner of veterans' affairs,
14 and in accordance with veterans' preference as provided in section 37-19.1-02. By August 1,
15 2011, all county veterans' service officers must be accredited by the national association of
16 county veterans' service officers. It is the duty of the county veterans' service officer to become
17 acquainted with the laws, both state and federal, enacted for the benefit of returning
18 servicemen and servicewomen to assist such returning members of the armed forces in the
19 presentation, proof, and establishment of such claims, privileges, and rights as they have. It
20 also is the duty of the county veterans' service officer to actively cooperate with and to
21 coordinate the activities of the state and federal agencies within the county which the officer
22 serves to facilitate their operation and ensure promptness in the solution of the problems
23 concerned with the reestablishment of returning servicemen and servicewomen in civilian
24 pursuits. A county veterans' service officer may not serve as a conservator for an individual

1 who is receiving benefits or services from the department of veterans' affairs or the United
2 States department of veterans' affairs, except if the individual is the spouse or an immediate
3 family member of the officer, or unless the conservator is appointed by the county under
4 chapter 11-21.

5 **SECTION 2.** A new section to chapter 37-18 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Department of veterans' affairs employees - Conservatorship activities**
8 **prohibited.** An employee of the department of veterans' affairs may not serve as a
9 conservator for an individual who is receiving benefits or services from the department, except
10 if the individual is the spouse or an immediate family member of the employee.

11 **SECTION 3. DEPARTMENT OF VETERANS' AFFAIRS - TRAINING POSITIONS.**

12 The commissioner of veterans' affairs may use up to two of the department of veterans' affairs'
13 existing full-time equivalent positions as training officers for the biennium beginning July 1,
14 2009, and ending June 30, 2011.

15 **SECTION 4. REPORTS TO LEGISLATIVE COUNCIL.** By December 1, 2009, the
16 commissioner of veterans' affairs shall provide to the legislative council a report regarding the
17 number of county veterans' service officers accredited in accordance with the requirements of
18 section 1 of this Act, the agency or organization through which each officer has been
19 accredited, and an accountability report with respect to the use of the funds granted under
20 section 5 of this Act for the training program offered through the department of veterans' affairs
21 to county veterans' service officers. The commissioner shall present followup reports to the
22 legislative council by July 1, 2010, and December 1, 2010. By December 1, 2010, the board of
23 county commissioners of each county shall report to the legislative council the status of the
24 county's compliance with section 1 of this Act.

25 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the
26 general fund in the state treasury, not otherwise appropriated, the sum of \$20,000, or so much
27 of the sum as may be necessary, to the department of veterans' affairs for the purpose of
28 arranging for department of veterans' affairs accreditation training for all county veterans'
29 service officers in the state, for the biennium beginning July 1, 2009, and ending June 30, 2011.