

**SECOND ENGROSSMENT
with Senate Amendments**

Sixty-first
Legislative Assembly
of North Dakota

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. An individual may serve as a county veterans' service officer in more than one county.
12 The appointment must be made with the prior advice of the commissioner of veterans' affairs,
13 and in accordance with veterans' preference as provided in section 37-19.1-02. The county
14 veterans' service officer shall comply with accreditation requirements established by the
15 national association of county veterans' service officers within two years of appointment, except
16 an individual serving as a county veterans' service officer on August 1, 2009, shall comply with
17 the accreditation requirements by December 1, 2010. After August 1, 2011, a county veterans'
18 service officer shall comply with either the accreditation requirements established by the
19 national association of county veterans' service officers or requirements established by a
20 recognized service organization or the department of veterans' affairs in compliance with
21 requirements of the United States department of veterans affairs. It is the duty of the county
22 veterans' service officer to become acquainted with the laws, both state and federal, enacted
23 for the benefit of returning servicemen and servicewomen to assist such returning members of
24 the armed forces in the presentation, proof, and establishment of such claims, privileges, and

rights as they have. It also is the duty of the county veterans' service officer to actively cooperate with and to coordinate the activities of the state and federal agencies within the county which the officer serves to facilitate their operation and ensure promptness in the solution of the problems concerned with the reestablishment of returning servicemen and servicewomen in civilian pursuits. A county veterans' service officer may not serve as a conservator for an individual who is receiving benefits or services from the department of veterans' affairs or the United States department of veterans affairs, except if the individual is the spouse or an immediate family member of the officer.

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

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

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

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

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

SECTION 5. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$20,000, or so much of the sum as may be necessary, to the department of veterans' affairs for the purpose of

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- 1 arranging for department of veterans' affairs accreditation training for all county veterans'
- 2 service officers in the state, for the biennium beginning July 1, 2009, and ending June 30, 2011.