

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2025

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 veterans' affairs; and to amend and reenact sections 37-15-03, 37-15-07, 37-15-16, 37-18-01,
3 and 37-18-07, subsection 1 of section 37-18-12, and section 37-18.1-03 of the North Dakota
4 Century Code, relating to the administrative committee on veterans' affairs.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from other funds derived from federal funds, to the
9 department of veterans' affairs for the purpose of defraying the expenses of the department of
10 veterans' affairs, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13 Veterans' affairs	\$1,897,804	\$239,506	\$2,137,310
14 State approving agency	323,129	67,207	390,336
15 New and vacant FTE pool	0	49,702	49,702
16 Grants - transportation program	1,126,085	193,621	1,319,706
17 Transport vans	18,800	4,200	23,000
18 Service dogs	0	50,000	50,000
19 Veterans' home cemetery	<u>0</u>	<u>291,500</u>	<u>291,500</u>
20 Total all funds	\$3,365,818	\$895,736	\$4,261,554

1	Less other funds	<u>1,449,214</u>	<u>558,948</u>	<u>2,008,162</u>
2	Total general fund	\$1,916,604	\$336,788	\$2,253,392
3	Full-time equivalent positions	9.00	0.00	9.00

4 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
5 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
6 items included in the appropriation in section 1 of this Act which are not included in the entity's
7 base budget for the 2027-29 biennium and which the entity shall report to the appropriations
8 committees of the seventieth legislative assembly regarding the use of this funding:

9	<u>One-Time Funding Description</u>		<u>Other Funds</u>
10	Veterans' home cemetery		<u>\$291,500</u>
11	Total		<u>\$291,500</u>

12 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
13 department of veterans' affairs may not spend funds appropriated in the new and vacant FTE
14 pool line item in section 1 of this Act, but may request the office of management and budget to
15 transfer funds from the new and vacant FTE pool line item to the veterans' affairs and state
16 approving agency line items in accordance with the guidelines and reporting provisions included
17 in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

18 **SECTION 4. AMENDMENT.** Section 37-15-03 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **37-15-03. Government of veterans' home.**

21 The general supervision and government of the veterans' home is vested in the
22 ~~administrative committee on veterans' affairs~~governor.

23 **SECTION 5. AMENDMENT.** Section 37-15-07 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **37-15-07. Administrator of veterans' home - Appointment - Qualifications.**

26 The appointment, qualifications, term of office, and salary of the administrator of the
27 veterans' home must be as prescribed ~~in section 37-18.1-03~~by the governor. The ~~administrative~~
28 ~~committee on veterans' affairs~~governor may designate the administrator as commandant of the
29 veterans' home if the administrator is an honorably discharged veteran.

30 **SECTION 6. AMENDMENT.** Section 37-15-16 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **37-15-16. Administrator shall take charge of unclaimed estates of small value.**

2 If a member of the veterans' home dies leaving property of the value of three thousand
3 dollars or less, the administrator immediately shall take charge of the property. If within forty-five
4 days of the date of death a valid claim of any heir or devisee is not made for the property and
5 an application or petition has not been filed for issuance of letters of administration, the
6 administrator shall convert the property into cash without probate or other proceedings and
7 make payment first toward reasonable funeral expenses and second toward reasonable and
8 necessary medical and hospital expenses of the last illness of the decedent. If any cash
9 remains, the administrator shall deposit the cash with the state treasurer who shall credit it to
10 the veterans' home operating fund. The administrator shall make a report of the administrator's
11 action to the administrative committee on veterans' affairs and the governor. The report must be
12 audited by, and included in the records of, the committee.

13 **SECTION 7. AMENDMENT.** Section 37-18-01 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **37-18-01. Department established - Commissioner.**

16 There is hereby established a department of veterans' affairs under the supervision and
17 control of a commissioner known as commissioner of veterans' affairs, hereinafter referred to as
18 the commissioner. The commissioner must be a bona fide resident of the state, and must qualify
19 as a veteran as defined in section 37-01-40. The commissioner shall serve at the pleasure of
20 the governor.

21 **SECTION 8. AMENDMENT.** Section 37-18-07 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **37-18-07. Commissioner - Appointment - Qualifications - Term - Salary.**

24 The appointment, qualifications, term of office, and salary of the commissioner must be as
25 prescribed ~~in section 37-18.1-03~~ by the governor. The commissioner must be allowed such
26 amounts for travel, clerkhire, and expenses as may be prescribed from time to time by
27 legislative appropriations.

28 **SECTION 9. AMENDMENT.** Subsection 1 of section 37-18-12 of the North Dakota Century
29 Code is amended and reenacted as follows:

- 30 1. Except as otherwise provided by subsection 2, the department of veterans' affairs may
31 accept and expend funds from any source, including federal or private sources, to be

1 used to assist veterans or qualified veterans' spouses in obtaining assistance and to
2 pay other expenses authorized by law incurred in carrying out programs of benefit and
3 service for resident North Dakota veterans as authorized by the ~~administrative-~~
4 ~~committee on veterans' affairs~~ governor with the approval of the emergency
5 commission.

6 **SECTION 10. AMENDMENT.** Section 37-18.1-03 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **37-18.1-03. Powers and duties of committee - Creation of subcommittee and**
9 **governing board.**

10 The committee is responsible for advising the governor on the organization, policy, and
11 general administration of all veterans' affairs in the state of North Dakota. It has the following
12 powers ~~and~~ duties, and responsibilities:

- 13 1. The chairman and secretary of the committee, acting jointly, shall appoint a
14 seven-member governing board for advising the governor on administration of the
15 veterans' home, from within or outside the committee, subject to ratification of a
16 majority vote of the committee, and shall establish term lengths for service on the
17 governing board. ~~The governing board has all ordinary powers required of a governing~~
18 ~~board, including the power to establish qualifications for and selection of an~~
19 ~~administrator and to establish an appropriate salary structure, subject to limitations of~~
20 ~~legislative appropriation. The administrator serves at the pleasure of the governing~~
21 ~~board.~~
- 22 2. The chairman and secretary of the committee jointly shall appoint a subcommittee to
23 be responsible for advising the governor on the supervision and government of the
24 department of veterans' affairs. Once appointed, a subcommittee member may
25 continue to serve as long as the member remains a voting member of the committee,
26 unless removed from the subcommittee by joint action of the committee chairman and
27 secretary. A member of the subcommittee may not serve on the governing board of the
28 veterans' home. Each nominating organization listed in section 37-18.1-01 must have
29 at least one voting member nominated by the organization serving on the
30 subcommittee. The subcommittee shall select by majority vote of the members a
31 chairman to preside for the term of one year.

- 1 3. ~~The committee shall appoint the commissioner of the department of veterans' affairs.~~
2 ~~The commissioner must be a bona fide resident of the state, and must qualify as a~~
3 ~~veteran as defined in section 37-01-40. The commissioner serves at the pleasure of~~
4 ~~the committee. The committee shall determine the salary paid to the commissioner of~~
5 ~~the department of veterans' affairs within the limits of legislative appropriation.~~ The
6 commissioner of veterans' affairs shall serve as the executive secretary for the
7 subcommittee. The commissioner has no vote in the affairs of the subcommittee.
- 8 4. The committee, under recommendation from the board or the subcommittee, shall
9 present any matters needing attention and action to the ~~appropriate board,~~
10 ~~commission, agency, or department of the state, and the North Dakota veterans'~~
11 ~~legislative council~~ governor.
- 12 5. The committee shall ~~assure~~ advise the governor regarding compliance with applicable
13 federal and state laws in the administration of both the department of veterans' affairs
14 and the North Dakota veterans' home and shall exercise its responsibilities in all things
15 necessary to ~~carry out the provisions of this chapter~~ advise the governor in regard to
16 organization, policy, and general administration of the agencies served and involved in
17 the conduct of veterans' affairs. ~~The board governing the veterans' home and the~~
18 ~~subcommittee governing the department of veterans' affairs shall conduct an annual~~
19 ~~performance evaluation of the administrator and commissioner, respectively, with the~~
20 ~~evaluation presented to the committee. The board and subcommittee shall create and~~
21 ~~implement a strategic plan for the veterans' home and the department of veterans'~~
22 ~~affairs, respectively. The board and the subcommittee annually shall report as to the~~
23 ~~status of the respective strategic plan to the committee. After receiving a report, the~~
24 ~~committee shall submit the report to the governor.~~