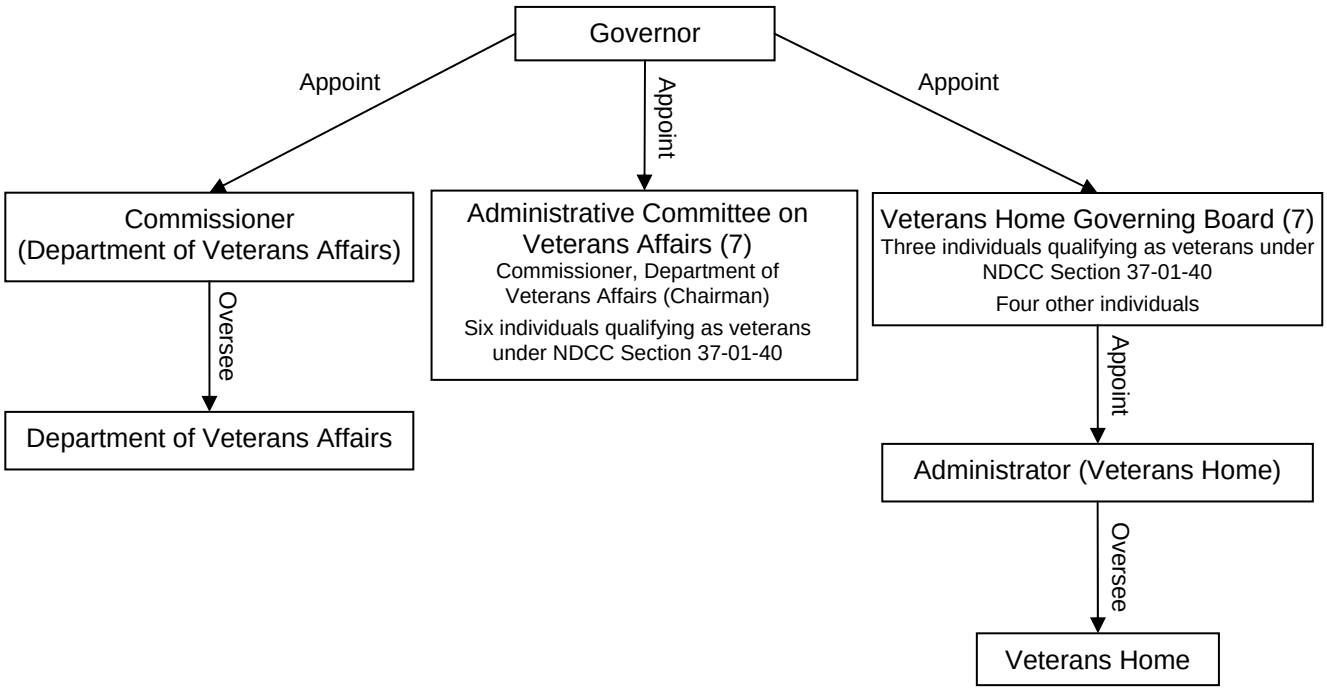
Prepared by the North Dakota Legislative Council staff for the Public Safety Committee
June 2008

SUMMARY OF THE BILL DRAFT (SECOND DRAFT) RELATING TO THE DEPARTMENT OF VETERANS AFFAIRS, THE VETERANS HOME, AND THE DELIVERY OF VETERANS' SERVICES

This memorandum provides a summary of the bill draft (second draft) being considered by the Public Safety Committee relating to the Department of Veterans Affairs, the Veterans Home, and the delivery of veterans' services. Major provisions of the bill draft:

- Require county veterans' service officers to maintain accreditation by the National Association of County Veterans Service Officers within one year of appointment.
- Provide a $20,000 general fund appropriation to the Department of Veterans Affairs for arranging for National Association of County Veterans Service Officers accreditation training.
- Require two of the Department of Veterans Affairs' existing full-time equivalent (FTE) positions to be used for training officers for the 2009-11 biennium.
- Provide that the general supervision and governance of the Veterans Home is vested in a Veterans Home Governing Board, which consists of seven members appointed by the Governor.
- Provide that the commissioner of the Department of Veterans Affairs be appointed by the Governor.
- Require the Department of Veterans Affairs be located in Bismarck or Mandan.
- Provide that any employee of the Department of Veterans Affairs may not be a conservator for a person receiving benefits or services from the department.
- Reduce the size of the Administrative Committee on Veterans Affairs from 15 individuals to 7 individuals with the commissioner of the Department of Veterans Affairs serving as the chairman of the committee.
- Revise the powers and duties of the Administrative Committee on Veterans Affairs to remove supervision of the Department of Veterans Affairs and the Veterans Home and to provide that the committee is to create and implement a strategic plan for the delivery of veterans' services in the state. The bill draft does not change the committee's duties relating to the administration of the veterans' postwar trust fund as provided in Section 25 of the Constitution of North Dakota and North Dakota Century Code (NDCC) Section 37-14-12 and administration of the veterans' aid fund as provided in Section 37-14-10.

PROPOSED ORGANIZATIONAL STRUCTURE



BILL SECTION SUMMARY

Section 1	Amends NDCC Section 37-14-18 to provide that county veterans' service officers must maintain accreditation by the National Association of County Veterans Service Officers within one year of appointment.
Section 2	Amends NDCC Section 37-15-03 to provide that the general supervision and governance of the Veterans Home is vested in the Veterans Home Governing Board.
Section 3	Amends NDCC Section 37-15-07 relating to the administrator of the Veterans Home to provide that the Veterans Home Governing Board, not the Administrative Committee on Veterans Affairs, may designate the administrator as commandant of the Veterans Home if the administrator is an honorably discharged veteran.
Section 4	Creates four new sections to NDCC Chapter 37-15 to: • Establish a Veterans Home Governing Board consisting of seven voting members appointed by the Governor. Of the members, three must qualify as veterans under Section 37-01-40. • Provide that the Governor is to appoint a chairman of the governing board. • Provide that the governing board is responsible for the administration of the Veterans Home, including selecting an administrator, conducting an annual performance evaluation of the administrator, and implementing a strategic plan for the Veterans Home. • Provide that the governing board members may receive compensation of $135 per day and reimbursement for travel, meals, and lodging expenses.
Section 5	Amends NDCC Section 37-18-07 to provide that the commissioner of the Department of Veterans Affairs is to be appointed by the Governor. The commissioner must qualify as a veteran as defined in Section 37-01-40 and is to serve at the pleasure of the Governor.
Section 6	Amends NDCC Section 37-18-08 to provide that the Department of Veterans Affairs must be located in Bismarck or Mandan.
Section 7	Amends NDCC Section 37-18-12 to provide that the Department of Veterans Affairs may accept and spend funds from any source, including federal or private sources, to be used to assist veterans in obtaining assistance and to pay other expenses incurred in carrying out programs of benefit and service for veterans with approval of the Emergency Commission. This section previously required authorization by the Administrative Committee on Veterans Affairs.
Section 8	Creates a new section to NDCC Chapter 37-18 to provide that an employee of the Department of Veterans Affairs may not be a conservator for a person receiving benefits or services from the department.
Section 9	Amends NDCC Section 37-18.1-01 to reduce the size of the Administrative Committee on Veterans Affairs from 15 individuals to 7 individuals consisting of the commissioner of the Department of Veterans Affairs and 6 individuals qualifying as veterans under the provisions of Section 37-01-40.
Section 10	Amends NDCC Section 37-18.1-02 to provide that the commissioner of the Department of Veterans Affairs is to serve as the chairman of the Administrative Committee on Veterans Affairs.
Section 11	Amends NDCC Section 37-18.1-03 to revise the powers and duties of the Administrative Committee on Veterans Affairs to remove supervision of the Department of Veterans Affairs and the Veterans Home and to provide that the committee is to create and implement a strategic plan for the delivery of veterans' services in the state.
Section 12	Amends NDCC Section 37-18.1-04 to provide that the members of the Administrative Committee on Veterans Affairs may receive compensation of $135 per day and may be reimbursed for travel expenses, including meals and lodging expenses, in connection with their official duties with payment made by the Department of Veterans Affairs.
Section 13	Provides that the commissioner of Veterans Affairs must utilize two of the Department of Veterans Affairs' existing FTE positions as training officers for the 2009-11 biennium.
Section 14	Provides a $20,000 general fund appropriation to the Department of Veterans Affairs for arranging for National Association of County Veterans Service Officers accreditation training for all county veterans' service officers during the 2009-11 biennium.