

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1057
(Legislative Council)
(Public Safety Committee)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

37-14-18. County veterans' service officer - Appointment - Duties. The board of county commissioners of each county of the state of North Dakota shall appoint, employ, and pay, on a full-time or part-time basis, an officer to be known as a county veterans' service officer. The veterans' affairs commissioner may work directly with county veterans' service officers. An individual may serve as a county veterans' service officer in more than one county. The appointment must be made with the prior advice of the commissioner of veterans' affairs, and in accordance with veterans' preference as provided in section 37-19.1-02. By August 1, 2011, all county veterans' service officers must be accredited by the national association of county veterans' service officers. It is the duty of the county veterans' service officer to become acquainted with the laws, both state and federal, enacted for the benefit of returning servicemen and servicewomen to assist such returning members of 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, or unless the conservator is appointed by the county under chapter 11-21.

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1057.

House Vote: Yeas 87 Nays 5 Absent 2

Senate Vote: Yeas 39 Nays 8 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State