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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **1673**

03/10/2015 Authored by Newton

The bill was read for the first time and referred to the Veterans Affairs Division

1.1 A bill for an act
1.2 relating to veterans; repealing commissioner of veterans affairs guardianship
1.3 program; repealing Minnesota Statutes 2014, section 196.051.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **REPEALER.**

1.6 Minnesota Statutes 2014, section 196.051, is repealed.

196.051 GUARDIANSHIP.

Subdivision 1. **Appointment of commissioner.** The district court may appoint the commissioner of veterans affairs guardian of the estate of a veteran or dependent for whom the appointment of a guardian is found by the court to be necessary. When appointed and qualified, the commissioner may act as guardian of the estate. The district court is not authorized to appoint the commissioner guardian of the person of a veteran. The word "veteran" as used in this section shall have the same meaning as it is defined in section 197.447.

Subd. 2. **Bonding.** Notwithstanding any other law, the commissioner is not required to file a bond when acting as guardian pursuant to authority granted by this section.

Subd. 3. **Funds.** The commissioner may commingle the funds of persons who are under the commissioner's guardianship pursuant to authority granted by section 196.051. The commissioner shall keep complete and accurate accounts showing each transaction that occurs with respect to the funds of each person under the commissioner's guardianship. Money in a guardianship fund is appropriated to the commissioner to carry out the guardianship.

Subd. 4. **Fees.** When permitted by the court, the commissioner may charge a fee of up to five percent of the income of the estate of the person under guardianship to cover the expenses of providing the guardianship service.