

1.1 A bill for an act

1.2 relating to veterans; clarifying the role of the commissioner and Department of  
1.3 Veterans Affairs in providing certain resources for the county veterans service  
1.4 offices; amending Minnesota Statutes 2008, sections 197.60, subdivision 1;  
1.5 197.601; 197.605; 197.606; 197.609, subdivisions 1, 2.

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

1.7 Section 1. Minnesota Statutes 2008, section 197.60, subdivision 1, is amended to read:

1.8 Subdivision 1. **Appointment; administrative support.** The county board of any  
1.9 county ~~except Clay County~~, or the county boards of any two or more counties acting  
1.10 pursuant to ~~the provisions of~~ section 197.602, shall appoint a veterans service officer  
1.11 ~~and shall provide necessary clerical help, office space, equipment, and supplies for the~~  
1.12 ~~officer, together with reimbursement for mileage and other traveling expenses necessarily~~  
1.13 ~~incurred in the performance of duties~~; and may appoint one or more assistant veterans  
1.14 service officers who ~~shall have the qualifications prescribed in~~ are qualified under section  
1.15 197.601. ~~The county board of Clay County may appoint a veterans service officer and~~  
1.16 ~~assistant veterans service officers as provided in this subdivision.~~ The county board or  
1.17 boards shall provide necessary clerical help, office space, equipment, and supplies for the  
1.18 officer, and reimbursement for mileage and other traveling expenses necessarily incurred  
1.19 in the performance of duties. Subject to the direction and control of the veterans service  
1.20 officer, the assistant veterans service officer may exercise all the powers, and shall perform  
1.21 the duties, of the veterans service officer, and ~~shall be~~ is subject to all the provisions of  
1.22 sections 197.60 to 197.606 relating to a veterans service officer. Every county officer and  
1.23 agency shall cooperate with the veterans service officer and shall provide the officer with  
1.24 information necessary in connection with the performance of duties.

2.1 EFFECTIVE DATE. This section is effective July 1, 2010.

2.2 Sec. 2. Minnesota Statutes 2008, section 197.601, is amended to read:

2.3 **197.601 QUALIFICATIONS OF VETERANS SERVICE OFFICERS.**

2.4 No person shall be appointed a veterans service officer or an assistant county  
2.5 veterans service officer or the equivalent under sections 197.60 to 197.606 ~~without the~~  
2.6 ~~following qualifications~~ unless the person is:

2.7 (1) ~~residence in~~ a resident of the state of Minnesota;

2.8 (2) ~~citizenship in~~ a citizen of the United States; and

2.9 (3) a veteran, as defined in section 197.447~~;~~

2.10 ~~(4) education and training for the duties of veterans service officer;~~

2.11 ~~(5) knowledge of the law and the regulations and rulings of the United States~~

2.12 ~~Veterans Administration applicable to cases before it and the administration thereof.~~

2.13 In addition, a person accepting appointment to the position of county veterans  
2.14 service officer or assistant county veterans service officer or other equivalent assistant  
2.15 position must agree to receive, within six months of the appointment, training and  
2.16 education for the duties of the position, including development of an effective working  
2.17 knowledge of relevant laws, rules, and regulations pertaining to the United States  
2.18 Department of Veterans Affairs, as applicable to veterans cases before the department and  
2.19 the administration of those cases.

2.20 Sec. 3. Minnesota Statutes 2008, section 197.605, is amended to read:

2.21 **197.605 ~~SUPERVISION~~ DEPARTMENT AS A RESOURCE TO COUNTIES.**

2.22 Subdivision 1. ~~Methods of operation~~ Resources available. Every veterans service  
2.23 officer appointed under sections 197.60 to 197.606 shall be under the general supervision  
2.24 of the commissioner of veterans affairs ~~as to methods of operation.~~ The commissioner of  
2.25 veterans affairs shall make resources available within the Department of Veterans Affairs  
2.26 to every county that operates a county veterans service office, to assist the county with  
2.27 maintaining efficient and effective services to veterans. To receive available resources  
2.28 from the department, a county must formally request them from the commissioner and  
2.29 invite the commissioner or the commissioner's designee or designees into the county  
2.30 as necessary to provide those resources. The commissioner shall consult with the  
2.31 Association of Minnesota Counties and the Minnesota Association of County Veterans  
2.32 Service Officers in developing a list of resources available to counties in support of their  
2.33 county veterans service offices.

3.1 Subd. 2. **Use of agencies to present claims.** Every veterans service officer and  
3.2 assistant veterans service officer or the equivalent appointed under sections 197.60 to  
3.3 197.606 shall use the Minnesota Department of Veterans Affairs or any organization  
3.4 recognized by the United States Department of Veterans Administration Affairs, as may  
3.5 be designated by the veteran by power of attorney, in the presentation of claims to the  
3.6 United States Department of Veterans Administration Affairs for the benefits referred to  
3.7 in section 197.603.

3.8 ~~Subd. 3. **Rules.** The commissioner of veterans affairs shall have authority to~~  
3.9 ~~prescribe such rules as are necessary for compliance with this section and the efficient~~  
3.10 ~~uniform administration of sections 197.60 to 197.606. Such rules shall not apply to the~~  
3.11 ~~appointment, tenure, compensation, or working conditions of a veterans service officer~~  
3.12 ~~appointed under sections 197.60 to 197.606.~~

3.13 Subd. 4. **Certification.** The commissioner of veterans affairs shall establish a  
3.14 certification process for veterans service officers. In doing so, the commissioner shall  
3.15 consult with the Minnesota Association of County Veterans Service Officers.

3.16 Sec. 4. Minnesota Statutes 2008, section 197.606, is amended to read:

3.17 **197.606 CLASSED AS COUNTY EMPLOYEES.**

3.18 Veterans service officers and assistant veterans service officers appointed under  
3.19 sections 197.60 to 197.606 are employees of the counties by which they are employed, and  
3.20 are under the exclusive jurisdiction and control of such those counties ~~and the Department~~  
3.21 ~~of Veterans Affairs as herein provided.~~

3.22 Sec. 5. Minnesota Statutes 2008, section 197.609, subdivision 1, is amended to read:

3.23 Subdivision 1. **Establishment and administration.** An education program for  
3.24 county veterans service officers is established to be administered by the commissioner of  
3.25 veterans affairs, with assistance and advice from the Minnesota Association of County  
3.26 Veterans Service Officers.

3.27 Sec. 6. Minnesota Statutes 2008, section 197.609, subdivision 2, is amended to read:

3.28 Subd. 2. **Eligibility.** To be eligible for the program in this section, a person must  
3.29 currently be employed as a county veterans service officer or assistant county veterans  
3.30 service officer, as authorized by sections 197.60 to 197.606, and be certified to serve in  
3.31 that position by the commissioner of veterans affairs or be serving a probationary period  
3.32 as authorized by section 197.60, subdivision 2.

4.1 Sec. 7. NONCOMPLIANCE.

4.2 A county that on July 1, 2010, is noncompliant with regard to the qualifications of  
4.3 an assistant county veterans service officer or the equivalent, under Minnesota Statutes,  
4.4 section 197.601, must comply with the requirements of that section no later than June 30,  
4.5 2013, and must remain in compliance after that date.

4.6 Sec. 8. EFFECTIVE DATE.

4.7 Sections 1 to 7 are effective July 1, 2010.