

ASSEMBLY BILL NO. 471—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 23, 2015

Referred to Committee on Ways and Means

SUMMARY—Revises provisions governing the Department of Veterans Services. (BDR 37-1158)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to veterans; establishing the offices of Deputy Director for Veterans Health Care and Deputy Director for Veterans Education and Employment within the Department of Veterans Services; eliminating the requirement that the office of the Director of the Department be maintained in Las Vegas, Nevada; eliminating the requirement that the Nevada Veterans Services Commission advise and make recommendations regarding certain subjects to a deputy director of the Department; restricting the acceptance and use of money and gifts for the benefit of the Account for Veterans Affairs to the exclusive authority of the Director; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law requires the Director of the Department of Veterans Services to
- 2 appoint one deputy director. (NRS 417.030) **Section 2** of this bill amends this
- 3 provision to require the Director to appoint a Deputy Director for Veterans Health
- 4 Care and a Deputy Director for Veterans Education and Employment, and sets forth
- 5 the qualifications for a person to be eligible for appointment to each of those
- 6 positions.
- 7 Existing law requires the office of the Deputy Director of the Department to be
- 8 maintained in Las Vegas, Nevada. (NRS 417.070) **Section 4** of this bill eliminates
- 9 that requirement.
- 10 Existing law requires the Nevada Veterans Services Commission to: (1) advise
- 11 the Director and the Deputy Director; and (2) make recommendations to the
- 12 Governor, the Legislature, the Director and the Deputy Director regarding aid or



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13 benefits to veterans. (NRS 417.090) **Section 7** of this bill eliminates the
14 requirement that the Commission advise and make recommendations to a deputy
15 director.

16 Existing law authorizes the Director and Deputy Director to receive money,
17 gifts of money and personal property for the benefit of the Account for Veterans
18 Affairs and to use the gifts in certain specified manners. (NRS 417.220) **Section 8**
19 of this bill revises these provisions to provide that the Director alone is authorized
20 to use the gifts in the specified manners.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 417.013 is hereby amended to read as follows:
2 417.013 “Deputy Director” means ~~the~~ a Deputy Director of
3 the Department.

4 **Sec. 2.** NRS 417.030 is hereby amended to read as follows:

5 417.030 1. The office of Director of the Department of
6 Veterans Services is hereby created.

7 2. The Director must be appointed by and serves at the pleasure
8 of the Governor.

9 3. The Director shall appoint ~~one~~ a Deputy Director ~~of the~~
10 ~~Department,~~ *for Veterans Education and Employment and a*
11 *Deputy Director for Veterans Health Care* who shall assist the
12 Director in performing the duties prescribed in this chapter.

13 4. Any person to be eligible for appointment as the Director or
14 the Deputy Director *for Veterans Education and Employment*
15 must:

16 (a) Be an actual and bona fide resident of the State of Nevada;

17 (b) Possess an honorable discharge from some branch of the
18 military and naval service of the United States; and

19 (c) Have at least 4 years of experience in management or
20 administration.

21 5. *Any person to be eligible for appointment as the Deputy*
22 *Director for Veterans Health Care must be an actual and bona*
23 *fide resident of the State of Nevada and:*

24 (a) *Possess an honorable discharge from some branch of the*
25 *military and naval service of the United States; or*

26 (b) *Have at least 4 years of experience in health care*
27 *administration or the management of health care services.*

28 **Sec. 3.** NRS 417.060 is hereby amended to read as follows:

29 417.060 The Director and ~~the~~ Deputy ~~Director~~ *Directors* are
30 in the unclassified service of the State. Except as otherwise provided
31 in NRS 284.143, each shall devote his or her entire time and
32 attention to the business of his or her office and shall not pursue any
33 other business or occupation or hold any other office of profit.



1 **Sec. 4.** NRS 417.070 is hereby amended to read as follows:

2 417.070 ~~{+}~~ The office of the Director must be located in the
3 same city where the state regional office of the United States
4 Department of Veterans Affairs maintains its state administrative
5 bureau, and if that office is discontinued in the State of Nevada, then
6 at such place as the Governor may designate.

7 ~~{2. The office of the Deputy Director must be maintained at
8 Las Vegas, Nevada.}~~

9 **Sec. 5.** NRS 417.090 is hereby amended to read as follows:

10 417.090 The Director and ~~{the}~~ Deputy ~~{Director}~~ *Directors*
11 shall:

12 1. Assist veterans, and those presently serving in the military
13 and naval forces of the United States who are residents of the State
14 of Nevada, their wives, widows, widowers, husbands, children,
15 dependents, administrators, executors and personal representatives,
16 in preparing, submitting and presenting any claim against the United
17 States, or any state, for adjusted compensation, hospitalization,
18 insurance, pension, disability compensation, vocational training,
19 education or rehabilitation and assist them in obtaining any aid or
20 benefit to which they may, from time to time, be entitled under the
21 laws of the United States or of any of the states.

22 2. Aid, assist, encourage and cooperate with every nationally
23 recognized service organization insofar as the activities of such
24 organizations are for the benefit of veterans, servicemen and
25 servicewomen.

26 3. Give aid, assistance and counsel to each and every problem,
27 question and situation, individual as well as collective, affecting any
28 veteran, serviceman or servicewoman, or their dependents, or any
29 group of veterans, servicemen and servicewomen, when in their
30 opinion such comes within the scope of this chapter.

31 4. Coordinate activities of veterans' organizations.

32 5. Serve as a clearinghouse and disseminate information
33 relating to veterans' benefits.

34 6. Conduct any studies which will assist veterans to obtain
35 compensation, hospitalization, insurance, pension, disability
36 compensation, vocational training, education, rehabilitation or any
37 other benefit to which veterans may be entitled under the laws of the
38 United States or of any state.

39 7. Aid, assist and cooperate with the office of coordinator of
40 services for veterans created in a county pursuant to NRS 244.401.

41 8. Pay to each county that creates the office of coordinator of
42 services for veterans, from state money available to him or her, a
43 portion of the cost of operating the office in an amount determined
44 by the Director.



1 9. Take possession of any abandoned or unclaimed artifacts or
2 other property that has military value for safekeeping. The Director
3 or Deputy ~~{Director}~~ *Directors* may transfer such property to a
4 veterans' or military museum.

5 **Sec. 6.** NRS 417.100 is hereby amended to read as follows:

6 417.100 The Director and ~~{the}~~ Deputy ~~{Director}~~ *Directors*
7 may:

8 1. Administer oaths to any person whose acknowledgment may
9 become necessary in the prosecution of any claim for compensation,
10 hospitalization, insurance or other aid or benefits.

11 2. Certify to the correctness of any document or documents
12 which may be submitted in connection with any such application.

13 **Sec. 7.** NRS 417.190 is hereby amended to read as follows:

14 417.190 The Nevada Veterans Services Commission shall:

15 1. Advise the Director . ~~{and Deputy Director.}~~

16 2. Make recommendations to the Governor, the Legislature ~~{}~~
17 *and* the Director ~~{and the Deputy Director}~~ regarding aid or benefits
18 to veterans.

19 **Sec. 8.** NRS 417.220 is hereby amended to read as follows:

20 417.220 1. The Account for Veterans Affairs is hereby
21 created in the State General Fund.

22 2. Money received by the Director ~~{for the Deputy Director}~~
23 from:

24 (a) Fees charged pursuant to NRS 417.210;

25 (b) Allowances for burial from the United States Department of
26 Veterans Affairs or other money provided by the Federal
27 Government for the support of veterans' cemeteries;

28 (c) Receipts from the sale of gifts and general merchandise;

29 (d) Grants obtained by the Director or ~~{the}~~ Deputy ~~{Director}~~
30 *Directors* for the support of veterans' cemeteries; and

31 (e) Except as otherwise provided in subsection 6 and NRS
32 417.145 and 417.147, gifts of money and proceeds derived from the
33 sale of gifts of personal property that he or she is authorized to
34 accept, if the use of such gifts has not been restricted by the donor,
35 ➤ must be deposited with the State Treasurer for credit to the
36 Account for Veterans Affairs and must be accounted for separately
37 for a veterans' cemetery in northern Nevada or a veterans' cemetery
38 in southern Nevada, whichever is appropriate.

39 3. The interest and income earned on the money deposited
40 pursuant to subsection 2, after deducting any applicable charges,
41 must be accounted for separately. Interest and income must not be
42 computed on money appropriated from the State General Fund to
43 the Account for Veterans Affairs.

44 4. The money deposited pursuant to subsection 2 may only be
45 used for the operation and maintenance of the cemetery for which



1 the money was collected. In addition to personnel he or she is
2 authorized to employ pursuant to NRS 417.200, the Director may
3 use money deposited pursuant to subsection 2 to employ such
4 additional employees as are necessary for the operation and
5 maintenance of the cemeteries, except that the number of such
6 additional full-time employees that the Director may employ at each
7 cemetery must not exceed 60 percent of the number of full-time
8 employees for national veterans' cemeteries that is established by
9 the National Cemetery Administration of the United States
10 Department of Veterans Affairs.

11 5. Except as otherwise provided in subsection 7, gifts of
12 personal property which the Director ~~for the Deputy Director~~ is
13 authorized to receive but which are not appropriate for conversion to
14 money may be used in kind ~~by the Director~~ *by the Director*.

15 6. The Gift Account for Veterans Cemeteries is hereby created
16 in the State General Fund. Gifts of money that the Director ~~for the~~
17 ~~Deputy Director~~ is authorized to accept and which the donor has
18 restricted to one or more uses at a veterans' cemetery must be
19 accounted for separately in the Gift Account for Veterans
20 Cemeteries. The interest and income earned on the money deposited
21 pursuant to this subsection must, after deducting any applicable
22 charges, be accounted for separately for a veterans' cemetery in
23 northern Nevada or a veterans' cemetery in southern Nevada, as
24 applicable. Any money remaining in the Gift Account for Veterans
25 Cemeteries at the end of each fiscal year does not revert to the State
26 General Fund, but must be carried over into the next fiscal year.

27 7. The Director ~~for the Deputy Director~~ shall use gifts of
28 money or personal property that he or she is authorized to accept
29 and for which the donor has restricted to one or more uses at a
30 veterans' cemetery in the manner designated by the donor, except
31 that if the original purpose of the gift has been fulfilled or the
32 original purpose cannot be fulfilled for good cause, any money or
33 personal property remaining in the gift may be used for other
34 purposes at the veterans' cemetery in northern Nevada or the
35 veterans' cemetery in southern Nevada, as appropriate.

36 **Sec. 9.** NRS 244.401 is hereby amended to read as follows:

37 244.401 1. The board of county commissioners of any county
38 may create by ordinance the office of coordinator of services for
39 veterans. If such an office is created, the board shall appoint a
40 qualified veteran to hold the office and the board shall establish the
41 coordinator's compensation.

42 2. The coordinator of services for veterans shall:

43 (a) Assist a veteran or the veteran's spouse or dependent, if the
44 person requesting assistance is a resident of the county, in preparing,
45 submitting and pursuing any claim that the person has against the



- 1 United States, or any state, to establish the person's right to any
2 privilege, preference, care or compensation to which he or she
3 believes that he or she is entitled;
- 4 (b) Aid, assist and cooperate with the Director and Deputy
5 ~~Director~~ *Directors* of the Department of Veterans Services and
6 with the Nevada Veterans Services Commission;
- 7 (c) Disseminate information relating to veterans' benefits in
8 cooperation with the Director and Deputy ~~Director~~ *Directors* of
9 the Department of Veterans Services; and
- 10 (d) Perform such other services related to assisting a veteran, or
11 the veteran's spouse or dependent, as requested by the board of
12 county commissioners.
- 13 3. Two or more counties jointly may create one office of
14 coordinator of services for veterans to serve those counties.
- 15 **Sec. 10.** This act becomes effective on July 1, 2015.

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