

Senate Bill No. 263—Senator Jacobsen

CHAPTER.....

AN ACT relating to veterans; creating an office of veterans' services; changing the name and transferring the offices of the executive and deputy executive directors for veteran affairs from the office of the military to the office of veterans' services; and providing other matters properly relating thereto.

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

Section 1. NRS 417.010 is hereby amended to read as follows:

417.010 As used in this chapter:

1. "Deputy executive director" means the deputy executive director for

~~{veteran-affairs.}~~ **veterans' services.**

2. "Executive director" means the executive director for ~~{veteran-affairs.}~~ **veterans' services.**

Sec. 2. NRS 417.020 is hereby amended to read as follows:

417.020 **1. The office of veterans' services is hereby created.**

2. The office consists of the offices of the executive director for ~~{veteran-affairs}~~ **veterans' services** and the deputy executive director for ~~{veteran-affairs are hereby created within the office of the military.}~~ **veterans' services.**

3. The executive director shall serve as the director of the office of veterans' services and is responsible for the performance of the duties imposed upon the office, and for such other duties as may be prescribed by this chapter.

4. The executive director may adopt such regulations as are necessary to carry out the provisions of this chapter.

Sec. 3. NRS 160.040 is hereby amended to read as follows:

160.040 **1.** Except as otherwise provided in this section, it is unlawful for any person to accept appointment as guardian of any ward if ~~{such}~~ **the** proposed guardian is at that time acting as guardian for five wards. In any case, upon presentation of a petition by an attorney of the Department of Veterans Affairs ~~{under}~~ **pursuant to** this section alleging that a guardian is acting in a fiduciary capacity for more than five wards and requesting his discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting from ~~{such}~~ **the** guardian and shall discharge ~~{such-guardian}~~ **him** in the case.

2. The limitations of this section do not apply where the guardian is a bank or trust company acting for the wards' estates only.

3. An individual may be guardian of more than five wards if they are all members of the same family.

4. The limitations of this section do not apply to the executive director for ~~{veteran-affairs}~~ **veterans' services** or to a public guardian.

Sec. 4. NRS 160.090 is hereby amended to read as follows:

160.090 1. Before making an appointment under the provisions of this chapter the court shall establish to its satisfaction that the person whose appointment as guardian is sought is a fit and proper person to be appointed.

2. Upon the appointment being made the guardian shall, except as otherwise provided in this section, execute and file a bond to be approved by the court in an amount not less than the value of the personal property of the estate plus the anticipated annual income. Thereafter the amount of ~~{such bond shall}~~ **the bond must** be equal to the total value of the personal estate plus the annual income. The bond ~~{shall}~~ **must** be in the form and be conditioned as required of guardians appointed ~~{under}~~ **pursuant to** the provisions of chapter 159 of NRS. The premiums on all such bonds ~~{shall}~~ **must** be paid from the estate.

3. If a banking corporation as defined in NRS 657.016, or a trust company, as defined by NRS 669.070, doing business in this state is appointed guardian of the estate of a ward, no bond is required of ~~{such}~~ **the** guardian unless the court by specific order requires a bond. If the executive director ~~{for veteran affairs}~~ **veterans' services** is appointed guardian, no bond is required.

4. If the court orders that the estate and income, or a part thereof, be deposited in a banking corporation, as defined in NRS 657.016, or trust company, as defined by NRS 669.070, doing business in this state and that such estate and income, or any part thereof, ~~{shall}~~ **must** not be withdrawn without authorization of the court, then the amount of the guardian's bond ~~{shall}~~ **must** be reduced in an amount equal to the amount of the estate and income on deposit ~~{with such}~~ **the** banking corporation, and the surety on ~~{such bonds shall}~~ **the bonds must** be exonerated from any loss to the estate in connection with ~~{such}~~ **the** deposit.

5. Where a bond is tendered by a guardian with personal sureties, ~~{such}~~ **the** sureties shall file with the court a certificate under oath which describes the property owned, both real and personal, and contains a statement that they are each worth the sum named in the bond as the penalty thereof over and above all their debts and liabilities and exclusive of property exempt from execution.

Sec. 5. NRS 244.401 is hereby amended to read as follows:

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

2. The coordinator of services for veterans shall:

(a) Assist a veteran or his spouse or dependent, if the person requesting assistance is a resident of the county, in preparing, submitting and pursuing any claim that the person has against the United States, or any state, to

establish his right to any privilege, preference, care or compensation to which he believes that he is entitled;

(b) Aid, assist and cooperate with the executive director for ~~{veteran affairs}~~ **veterans' services** and the deputy executive director for ~~{veteran affairs}~~ **veterans' services** and with the Nevada veterans' services commission;

(c) Disseminate information relating to veterans' benefits in cooperation with the executive director for ~~{veteran affairs}~~ **veterans' services** and the deputy executive director for ~~{veteran affairs;}~~ **veterans' services;** and

(d) Perform such other services related to assisting a veteran, his spouse or his dependent as requested by the board of county commissioners.

3. Two or more counties jointly may create one office of coordinator of services for veterans to serve those counties.

Sec. 6. NRS 244.406 is hereby amended to read as follows:

244.406 1. Except as otherwise provided in this section, the office of coordinator of services for veterans must be supported from money in the county general fund and from any gifts or grants received by the county for the support of the office.

2. The board of county commissioners of a county that creates the office of coordinator of services for veterans is authorized to accept funds from the executive director for ~~{veteran affairs}~~ **veterans' services** pursuant to subsection 8 of NRS 417.090 for the support of the office.

3. The board of county commissioners of a county that creates the office of coordinator of services for veterans may enter into an agreement with the health division of the department of human resources for the purpose of obtaining federal matching funds to contribute to the salaries and expenses of the office of coordinator of services for veterans for its activities which are reasonably related to the programs of the health division of the department of human resources and which benefit or result in cost avoidance for the health division.

4. The board of county commissioners of a county that creates the office of coordinator of services for veterans shall, on or before February 1 of each odd-numbered year, submit a report to the director of the legislative counsel bureau for distribution to each regular session of the legislature describing the efficiency and effectiveness of the office. The report must include, without limitation, the number, total value and average value of the benefits received by the office on behalf of veterans, their spouses and their dependents.

Sec. 7. This act becomes effective on July 1, 1999.

Sec. 8. The legislative counsel shall, in preparing the reprint and supplements to the Nevada Revised Statutes, with respect to any section that is not amended by this act or is further amended by another act, appropriately change any reference to the:

1. "Executive director for veteran affairs" to "executive director for veterans' services"; and

2. “Deputy executive director for veteran affairs” to “deputy executive director for veterans’ services.”

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