

SENATE BILL NO. 263—SENATOR JACOBSEN

FEBRUARY 26, 1999

Referred to Committee on Human Resources and Facilities

SUMMARY—Creates office of veterans’ services and changes name of certain other offices.
(BDR 37-1046)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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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; 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:

- 1 **Section 1.** NRS 417.010 is hereby amended to read as follows:
2 417.010 As used in this chapter:
3 1. “Deputy executive director” means the deputy executive director for
4 ~~{veteran affairs.}~~ ***veterans’ services.***
5 2. “Executive director” means the executive director for ~~{veteran~~
6 ~~affairs.}~~ ***veterans’ services.***
7 **Sec. 2.** NRS 417.020 is hereby amended to read as follows:
8 417.020 ***1. The office of veterans’ services is hereby created.***
9 ***2. The office consists of the*** offices of the executive director for
10 ~~{veteran affairs}~~ ***veterans’ services*** and the deputy executive director for
11 ~~{veteran affairs are hereby created within the office of the military.}~~
12 ***veterans’ services.***
13 ***3. The executive director shall serve as the director of the office of***
14 ***veterans’ services and is responsible for the performance of the duties***
15 ***imposed upon the office, and for such other duties as may be prescribed***
16 ***by this chapter.***
17 ***4. The executive director may adopt such regulations as are***
18 ***necessary to carry out the provisions of this chapter.***

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

2 160.040 1. Except as otherwise provided in this section, it is
3 unlawful for any person to accept appointment as guardian of any ward if
4 ~~{such}~~ **the** proposed guardian is at that time acting as guardian for five
5 wards. In any case, upon presentation of a petition by an attorney of the
6 Department of Veterans Affairs ~~{under}~~ **pursuant to** this section alleging
7 that a guardian is acting in a fiduciary capacity for more than five wards
8 and requesting his discharge for that reason, the court, upon proof
9 substantiating the petition, shall require a final accounting from ~~{such}~~ **the**
10 guardian and shall discharge ~~{such-guardian}~~ **him** in the case.

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

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

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

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

18 160.090 1. Before making an appointment under the provisions of
19 this chapter the court shall establish to its satisfaction that the person whose
20 appointment as guardian is sought is a fit and proper person to be
21 appointed.

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

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

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

1 ~~{such bonds shall}~~ **the bonds must** be exonerated from any loss to the estate
2 in connection with ~~{such}~~ **the** deposit.

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

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

10 244.401 1. The board of county commissioners of any county may
11 create by ordinance the office of coordinator of services for veterans. If
12 such an office is created, the board shall appoint a qualified veteran to hold
13 the office and the board shall establish his compensation.

14 2. The coordinator of services for veterans shall:

15 (a) Assist a veteran or his spouse or dependent, if the person requesting
16 assistance is a resident of the county, in preparing, submitting and pursuing
17 any claim that the person has against the United States, or any state, to
18 establish his right to any privilege, preference, care or compensation to
19 which he believes that he is entitled;

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

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

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

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

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

32 244.406 1. Except as otherwise provided in this section, the office of
33 coordinator of services for veterans must be supported from money in the
34 county general fund and from any gifts or grants received by the county for
35 the support of the office.

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

40 3. The board of county commissioners of a county that creates the
41 office of coordinator of services for veterans may enter into an agreement
42 with the health division of the department of human resources for the
43 purpose of obtaining federal matching funds to contribute to the salaries

1 and expenses of the office of coordinator of services for veterans for its
2 activities which are reasonably related to the programs of the health
3 division of the department of human resources and which benefit or result
4 in cost avoidance for the health division.

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

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

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

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

20 2. "Deputy executive director for veteran affairs" to "deputy executive
21 director for veterans' services."