

LEGISLATIVE BILL 977

Approved by the Governor April 17, 2002

Introduced by Aguilar, 35; Cunningham, 18; Kremer, 34; Quandahl, 31;
Synowiecki, 7; Tyson, 19

AN ACT relating to veterans' aid; to amend section 80-401.03, Revised Statutes Supplement, 2000; to provide for designees as prescribed; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 80-401.03, Revised Statutes Supplement, 2000, is amended to read:

80-401.03. The Director of Veterans' Affairs shall be responsible for the administration of the income funds from the Nebraska Veterans' Aid Fund for the aid of needy veterans and their dependents. For purposes of this section, veteran means any person who served on active duty in the armed forces of the United States, other than active duty for training, who received an honorable discharge, or its equivalent, from such service or who, being a citizen of the United States at the time of his or her entry into such service, served with the military forces of any government allied with the United States in a period of conflict pursuant to section 80-401.01 and who received an honorable discharge, or its equivalent, from such service.

The director, ~~the~~ ~~or~~ a deputy ~~designated by him or her~~ director, or a designee of the director shall receive and approve for payment or disapprove applications for aid which shall originate in any local post of any recognized veterans organization or with a county veterans service officer. Any person eligible for such aid shall make application for the same through such local post or county veterans service officer in the community nearest his or her place of residence. If there are two or more local posts of one or more recognized veterans organizations in any community, no claimant can originate a claim in more than one such post at any given time and a period of at least thirty days shall elapse between the filing of claims. An application shall not be deemed to be filed until it has been received and filed in the office of the Director of Veterans' Affairs. The director may adopt and promulgate such rules and regulations as may be necessary for administering such aid.

No part of the interest accumulation of the Nebraska Veterans' Aid Fund shall be expended for the purpose of organizing and maintaining any veterans organization. There shall be expended under the direction of the director such sum or sums as may be specifically appropriated by the Legislature for the employment of necessary assistants or deputies and clerical employees at such reasonable compensation as may be fixed by the director in each particular case and for the maintenance and expenses of a state service office with necessary service officers and assistants to prepare and present meritorious cases of ex-servicemen and ex-servicewomen for benefits before the United States Department of Veterans Affairs. Such cases shall be accepted by the state service officer on behalf of any claimant when a proper power of attorney is given by such claimant to the office of the director or to a state service officer, if he or she is so designated by any recognized veterans organization as its sole representative, and regardless of where the cases originate. No part of such sum or sums is to be paid out of the twelve-million-dollar trust fund or the income therefrom. Upon the completion of the trust, the principal fund so held by the State Treasurer shall revert to the treasury of the state.

Sec. 2. Original section 80-401.03, Revised Statutes Supplement, 2000, is repealed.