

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 78
HOUSE BILL 2487

AN ACT

AMENDING SECTIONS 41-603, 41-603.01 AND 41-608.01, ARIZONA REVISED
STATUTES; RELATING TO THE DEPARTMENT OF VETERANS' SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-603, Arizona Revised Statutes, is amended to
3 read:

4 41-603. Powers and duties

5 A. The department may act as guardian of an incapacitated veteran,
6 the incapacitated spouse of a veteran or minor children of a veteran, or
7 as conservator of the estate of a protected veteran or of the veteran's
8 incapacitated or surviving spouse or of the minor children of a veteran.
9 The department may act in all fiduciary matters, including as power of
10 attorney, trustee, custodian or representative payee of a veteran, spouse
11 of a veteran or minor child of a veteran. The department may act as the
12 personal representative of the estate of a deceased veteran, deceased
13 spouse of a veteran or deceased child of a veteran.

14 B. The department shall:

15 1. Assist veterans and their families and dependents in presenting,
16 providing and establishing claims, privileges, rights and benefits they
17 may have under federal, state or local law.

18 2. Inform veterans and their families and dependents and military
19 and civilian authorities about federal, state and local laws enacted to
20 benefit veterans and their families and dependents and members of the
21 armed forces.

22 3. Collect information relating to services and facilities
23 available to veterans.

24 4. Cooperate with all government and private agencies receiving
25 services for or benefits to veterans and their families and dependents.

26 5. Conduct administrative reviews and, if possible, correct abuses
27 or prevent exploitation of veterans and their families or dependents and
28 recommend corrective legislation.

29 6. Adopt rules deemed necessary to administer this article.

30 7. Enter into agreements with veterans' organizations in this state
31 holding a charter granted by the Congress of the United States for the
32 beneficial interest of veterans.

33 8. Verify and provide written confirmation to the person of
34 eligibility for special license plates issued pursuant to section 28-2475
35 by determining that all of the following are true:

36 (a) The person was a member of the United States armed forces on
37 December 7, 1941.

38 (b) The person received an honorable discharge from the United
39 States armed forces.

40 (c) The person was on station on December 7, 1941, during the hours
41 of 7:55 a.m. to 9:45 a.m., Hawaii time at Pearl Harbor, the Island of Oahu
42 or offshore, at a distance not exceeding three miles.

43 9. Evaluate, supervise, approve and disapprove programs offered by
44 educational institutions and training establishments pursuant to United
45 States Code titles 10 and 38 and state rules, so that veterans and their

1 dependents may draw the educational allowance provided by federal law
2 while pursuing approved programs.

3 10. Establish an application process for the Arizona gold star
4 military medal, shall verify the eligibility of recipients and, if funding
5 is available, may award the Arizona gold star military medal to an
6 eligible individual.

7 C. The department may:

8 1. Acquire property for and construct and operate ~~a~~ veterans' home
9 ~~facility~~ FACILITIES in ~~southern Arizona~~ THIS STATE.

10 2. Acquire property for and establish and operate cemeteries for
11 veterans in this state.

12 3. Establish a training center to provide training to current or
13 potential employees and the veteran community. The department may
14 establish a fee for this training.

15 Sec. 2. Section 41-603.01, Arizona Revised Statutes, is amended to
16 read:

17 41-603.01. Veterans' homes; department procurement exemptions

18 A. The department shall provide long-term care services and skilled
19 nursing care to veterans and their spouses in ~~the~~ veterans' ~~home~~ HOMES and
20 shall operate and maintain the veterans' ~~home~~ HOMES as ~~a~~ self-sustaining
21 ~~facility~~ FACILITIES.

22 B. The department may employ staff to operate the veterans' ~~home~~
23 HOMES as ~~a~~ skilled nursing ~~facility~~ FACILITIES that ~~provides~~ PROVIDE
24 long-term care services.

25 C. The department shall set guidelines for determining eligibility
26 for admission to the veterans' ~~home~~ HOMES and the monetary charges to be
27 paid by residents. All guidelines shall conform to the federal
28 requirements that must be met to qualify the veterans' ~~home~~ HOMES as
29 ~~a~~ nursing ~~home~~ HOMES for veterans and to render the ~~home~~ HOMES eligible
30 to receive federal financial assistance.

31 D. In administering the veterans' ~~home~~ HOMES, the department may:

32 1. Establish accounts to record the receipt and disbursements from
33 residents to pay for maintenance in the ~~home~~ HOMES.

34 2. Set charges.

35 3. Develop accounts and procedures pertaining to incompetent
36 residents.

37 4. Establish such other accounts as are necessary for the orderly
38 administration of the ~~home~~ HOMES.

39 5. Settle any debt owed to the veterans' ~~home~~ HOMES by collecting
40 at least seventy-five ~~per cent~~ PERCENT of the account balance. If the
41 department cannot collect at least seventy-five ~~per cent~~ PERCENT of an
42 account balance, the department shall refer the account to the attorney
43 general's office for collection pursuant to chapter 1, article 5 of this
44 title.

1 6. Adopt rules necessary for the operation of the veterans' ~~home~~
2 HOMES.

3 E. Notwithstanding chapter 23 of this title the department may:

4 1. Award a contract for tangible personal property to be used by
5 the department without the use of competitive sealed bids or competitive
6 sealed proposals at a price equal to or less than the contractor's current
7 federal supply contract price if the contractor indicates in writing that
8 the contractor is willing to extend the current federal supply contract
9 pricing, terms and conditions to the tangible personal property and the
10 purchase order for the items of tangible personal property adequately
11 identifies the federal supply contract on which the contract is based.

12 2. Dispose of surplus property at the veterans' ~~home~~ HOMES by sale
13 to private persons, firms and corporations, including hospitals and other
14 nursing home facilities. The department shall deposit, pursuant to
15 sections 35-146 and 35-147, all monies collected from the sale of surplus
16 property at the veterans' ~~home~~ HOMES in the state ~~home~~ HOMES for veterans
17 trust fund established by section 41-608.01.

18 F. The department is exempt from chapter 23 of this title for the
19 purchase of supplies and items for resale such as food, gift items,
20 souvenirs and other similar items and for contracting for services
21 relating to ~~the~~ gift ~~shop~~ SHOPS and vending machines located in ~~the~~
22 veterans' ~~home~~ HOMES.

23 Sec. 3. Section 41-608.01, Arizona Revised Statutes, is amended to
24 read:

25 41-608.01. State homes for veterans trust fund; purpose

26 A. ~~A~~ THE state ~~home~~ HOMES for veterans trust fund is established.
27 The director shall administer the fund for the sole purpose of operating
28 and maintaining ~~state-operated~~ STATE-OPERATED nursing and domiciliary
29 homes for Arizona veterans.

30 B. The fund consists of monies deposited by the director from
31 monies generated by operating the Arizona veterans' ~~home~~ HOMES and monies
32 deposited pursuant to section 41-603.01.

33 C. Monies in the fund are subject to annual appropriation by the
34 legislature. The fund is exempt from the provisions of section 35-190
35 relating to lapsing of appropriations. Any monies in the fund remaining
36 unexpended or unencumbered at the end of the fiscal year do not revert to
37 the state general fund.

38 D. On notice from the director, the state treasurer shall invest
39 and divest monies in the fund as provided by section 35-313, and monies
40 earned from investment shall be credited to the fund.

APPROVED BY THE GOVERNOR APRIL 11, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2019.