

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 302 Session of
2013

INTRODUCED BY BAKER, MENSCH, ROBBINS, YUDICHAK, YAW, VULAKOVICH,
ALLOWAY, RAFFERTY, BREWSTER, SOLOBAY, HUGHES, WAUGH, SCHWANK,
WASHINGTON AND WILLIAMS, JANUARY 25, 2013

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED,
APRIL 10, 2013

AN ACT

1 ~~Amending the act of August 9, 1955 (P.L.323, No.130), entitled, <--~~
2 ~~as amended, "An act relating to counties of the first, third,~~
3 ~~fourth, fifth, sixth, seventh and eighth classes; amending,~~
4 ~~revising, consolidating and changing the laws relating~~
5 ~~thereto; relating to imposition of excise taxes by counties,~~
6 ~~including authorizing imposition of an excise tax on the~~
7 ~~rental of motor vehicles by counties of the first class; and~~
8 ~~providing for regional renaissance initiatives," further~~
9 ~~providing for compilation of war records and the director of~~
10 ~~veterans' affairs.~~
11 AMENDING TITLE 51 (MILITARY AFFAIRS) OF THE PENNSYLVANIA <--
12 CONSOLIDATED STATUTES, PROVIDING FOR COUNTY DIRECTORS OF
13 VETERANS' AFFAIRS.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 ~~Section 1. Section 1923(g) of the act of August 9, 1955 <--~~
17 ~~(P.L.323, No.130), known as The County Code, amended October 4,~~
18 ~~1978 (P.L.964, No.190), is amended and the section is amended by~~
19 ~~adding subsections to read:~~

20 ~~Section 1923. Compilation of War Records; Director of~~
21 ~~Veterans' Affairs. * * *~~

~~(f.1) (1) In order to be eligible for appointment as a director of veterans' affairs, a person must maintain a Department of Veterans Affairs accreditation with the Department of Military and Veterans Affairs or national association in accordance with the provisions of 38 CFR § 14.629 (relating to requirements for accreditation of service organization representatives; agents; and attorneys) as a condition of employment.~~

~~(2) The county commissioners shall:~~

~~(i) Appoint the director of veterans' affairs.~~

~~(ii) Approve compensation for the director of veterans' affairs as set by the salary board.~~

~~(iii) Provide office space, equipment and support staff in the courthouse or another centrally accessible location.~~

~~(g) It shall also be the duty of the director of veterans affairs to:~~

~~(1) Assist the county commissioners in administering the provisions of this subdivision which relate to the burial of deceased service persons and their surviving spouses and to [furnishing] furnish markers and [placing] place headstones on their graves.~~

~~(2) Assist war veterans and their families in securing their rights as such in matters relating to their person, property and care of family, under any of the laws of this Commonwealth and of the United States[, and for such services the director of veterans affairs shall be entitled to his expenses incurred therein and additional compensation. Both expenses and compensation shall be subject to the approval of the salary board].~~

~~(3) Assist the county commissioners in transmitting records~~

~~of burial places of deceased service persons to the Department of Military and Veterans Affairs [of the Commonwealth], for the use of the Deputy Adjutant General [in charge of Veteran] for Veterans Affairs, and otherwise assist the commissioners in cooperating with the said deputy.~~

~~(4) Serve as a local contact between the Department of Military and Veterans Affairs and persons in the armed forces of the United States, persons who were discharged from such service and the dependents of such persons.~~

~~(5) Advise persons in the armed forces and veterans or their dependents of Federal, State and county veterans' benefits available to them.~~

~~(6) Aid persons in the armed forces and veterans or their dependents in completing required Federal, State and local veterans' affairs forms in compliance with current regulations and policies.~~

~~(7) Work under the direct supervision of the county commissioners and within the guidelines provided by the Department of Military and Veterans Affairs as determined by the United States Department of Veterans Affairs.~~

~~(h) A director of veterans affairs shall participate in programs provided by the Department of Military and Veterans Affairs including:~~

~~(1) Annual training and refresher courses provided by the Office of the Deputy Adjutant General for Veterans Affairs.~~

~~(2) Five year recertification as required by the United States Department of Veterans Affairs for veterans service officer accreditation.~~

~~(i) The Department of Military and Veterans Affairs Office of the Deputy Adjutant General for Veterans Affairs shall~~

~~establish a director of veterans affairs training program as
agreed upon in accordance with the State Association of County
Directors of Veterans Affairs, including:~~

~~(1) Promulgation of rules and program procedures pursuant to
the requirements of this subdivision.~~

~~(2) Maintenance of training records.~~

~~(3) Maintenance of competency scores for purposes of
documenting and monitoring accreditation status.~~

~~(4) Annual recertification and qualification.~~

~~Section 2. This act shall take effect in 60 days.~~

SECTION 1. CHAPTER 17 OF TITLE 51 OF THE PENNSYLVANIA
CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBCHAPTER TO READ:

SUBCHAPTER D

COUNTY DIRECTORS OF VETERANS' AFFAIRS

SEC.

1731. ACCREDITATION.

§ 1731. ACCREDITATION.

(A) ELIGIBILITY.--IN ORDER TO BE ELIGIBLE FOR APPOINTMENT AS
A DIRECTOR OF VETERANS' AFFAIRS IN A COUNTY OF THIS
COMMONWEALTH, A PERSON MUST MAINTAIN A UNITED STATES DEPARTMENT
OF VETERANS AFFAIRS ACCREDITATION IN ACCORDANCE WITH THE
PROVISIONS OF 38 CFR § 14.629 (RELATING TO REQUIREMENTS FOR
ACCREDITATION OF SERVICE ORGANIZATION REPRESENTATIVES; AGENTS;
AND ATTORNEYS) WITH ONE OF THE FOLLOWING:

(1) THE DEPARTMENT.

(2) A VETERANS' ORGANIZATION LISTED UNDER SECTION
1702(B) (RELATING TO STATE VETERANS' COMMISSION).

(B) TIME.--

(1) A PERSON WHO IS APPOINTED AS A DIRECTOR OF VETERANS'
AFFAIRS IN A COUNTY OF THIS COMMONWEALTH SHALL HAVE UP TO ONE

1 YEAR FROM THE DATE OF APPOINTMENT TO ATTAIN THE TRAINING AND
2 CERTIFICATION REQUIRED UNDER THIS TITLE.

3 (2) A PERSON WHO HAS BEEN APPOINTED AS A DIRECTOR OF
4 VETERANS' AFFAIRS IN A COUNTY OF THIS COMMONWEALTH PRIOR TO
5 THE EFFECTIVE DATE OF THIS SECTION SHALL HAVE ONE YEAR FROM
6 THE EFFECTIVE DATE OF THIS SECTION TO ATTAIN THE TRAINING AND
7 CERTIFICATION REQUIRED UNDER THIS TITLE.

8 (C) ADDITIONAL DUTIES.--IN ADDITION TO THE DUTIES PROVIDED
9 FOR UNDER A STATUTE OTHER THAN THIS TITLE, A DIRECTOR OF
10 VETERANS' AFFAIRS SHALL DO ALL OF THE FOLLOWING:

11 (1) SERVE AS A LOCAL CONTACT BETWEEN THE UNITED STATES
12 DEPARTMENT OF VETERANS AFFAIRS, THE DEPARTMENT AND AN
13 INDIVIDUAL IN THE ARMED FORCES OF THE UNITED STATES, AN
14 INDIVIDUAL WHO WAS DISCHARGED FROM THE SERVICE AND A
15 DEPENDENT OF THE INDIVIDUAL.

16 (2) ADVISE AN INDIVIDUAL IN THE ARMED FORCES, A VETERAN
17 OR A DEPENDENT OF THE INDIVIDUAL OR VETERAN OF AVAILABLE
18 FEDERAL, STATE AND COUNTY VETERANS' BENEFITS.

19 (3) AID AN INDIVIDUAL IN THE ARMED FORCES, A VETERAN OR
20 A DEPENDENT OF THE INDIVIDUAL OR VETERAN IN COMPLETING
21 REQUIRED FEDERAL, STATE AND LOCAL VETERANS' AFFAIRS FORMS IN
22 COMPLIANCE WITH CURRENT REGULATIONS AND POLICIES.

23 (4) WORK UNDER THE DIRECT SUPERVISION OF THE COUNTY
24 COMMISSIONERS AND WITHIN THE GUIDELINES PROVIDED BY THE
25 DEPARTMENT AND THE UNITED STATES DEPARTMENT OF VETERANS
26 AFFAIRS.

27 (5) PARTICIPATE IN PROGRAMS PROVIDED BY THE DEPARTMENT
28 INCLUDING:

29 (I) ANNUAL TRAINING AND REFRESHER COURSES PROVIDED
30 BY THE OFFICE OF THE DEPUTY ADJUTANT GENERAL FOR VETERANS

1 AFFAIRS.

2 (II) FIVE-YEAR RECERTIFICATION AS REQUIRED BY THE
3 UNITED STATES DEPARTMENT OF VETERANS AFFAIRS FOR
4 VETERANS' SERVICE OFFICER ACCREDITATION.

5 (D) OFFICE DUTIES.--THE OFFICE OF THE DEPUTY ADJUTANT
6 GENERAL FOR VETERANS AFFAIRS SHALL ESTABLISH A COUNTY DIRECTOR
7 OF VETERANS AFFAIRS TRAINING PROGRAM, AGREED UPON WITH THE STATE
8 ASSOCIATION OF COUNTY DIRECTORS OF VETERANS AFFAIRS, WHICH SHALL
9 INCLUDE THE FOLLOWING:

10 (1) DEVELOPMENT OF PROGRAM GUIDELINES AND PROCEDURES AS
11 REQUIRED UNDER THIS SUBCHAPTER.

12 (2) MAINTENANCE OF TRAINING RECORDS.

13 (3) MAINTENANCE OF COMPETENCY SCORES FOR PURPOSES OF
14 DOCUMENTING AND MONITORING ACCREDITATION STATUS.

15 (4) ANNUAL RECERTIFICATION AND QUALIFICATION.

16 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.