

HOUSE BILL NO. 81

INTRODUCED BY M. BERTOGLIO

BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING SUPERVISION OF THE VETERANS' AFFAIRS DIVISION ADMINISTRATOR; MOVING SUPERVISION FROM THE BOARD OF VETERANS' AFFAIRS TO THE ADJUTANT GENERAL; AND AMENDING SECTION 10-2-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 10-2-102, MCA, is amended to read:

"10-2-102. Duties of board -- employee qualifications. (1) The board shall establish a statewide service for veterans and their families as provided in this section. The board shall:

(a) actively cooperate with local, state, and federal agencies whose services encompass the affairs of veterans and their families;

(b) promote the general welfare of all veterans and their families;

(c) assist veterans and their families who are residents of this state in filing claims for the benefits to which they are entitled. In carrying out this duty, the board and its accredited employees shall, upon the request of an eligible claimant, act as agents for the claimant in developing and presenting claims for benefits provided under Title 38 of the United States Code. The board shall seek to secure speedy and just action for each claimant. A board employee officially acting as an agent on behalf of a claimant must be properly accredited and recognized pursuant to 38 CFR 14.628 and 14.629.

(d) officially advocate for the fair treatment of Montana's veterans and their families by the U.S. department of veterans affairs with respect to claims processing, health care services, and other veteran-related programs and inform veterans and their family members of all available grievance procedures;

(e) develop and implement an information and communication program to keep veterans and their family members informed about available federal, state, and community-based services and benefits. The program may include but is not limited to:

- 1 (i) development and distribution of a services and benefits directory;
- 2 (ii) regular public service announcements through various media;
- 3 (iii) information to assist veterans and their family members in obtaining federal benefits and
4 treatment services related to depleted uranium exposure, including a best practice health screening of any
5 veteran who:
- 6 (A) has been identified pursuant to department of defense policy as having possible level I, II, or III
7 exposure to depleted uranium;
- 8 (B) is referred for a health screening by a military physician; or
- 9 (C) may have been exposed to depleted uranium during service in a combat zone.
- 10 (iv) an internet website with information and links relevant to veterans and their families and
11 including information about board meetings and activities related to veterans' affairs; and
- 12 (v) a quarterly newsletter, which may be printed or electronically distributed by e-mail or by posting
13 it to an appropriate website.
- 14 (f) seek grants to help fund veterans' programs established pursuant to this section;
- 15 (g) develop a memorandum of understanding with the federal veterans' employment and training
16 service and with other appropriate entities to facilitate interagency cooperation, such as resource sharing,
17 cross-training, data and information sharing, and service delivery coordination;
- 18 (h) establish management tools, including but not limited to needs assessments, policy
19 statements, program goals and objectives, performance measures, and program evaluation criteria;
- 20 (i) prepare a biennial report to the governor, the department of military affairs, the state
21 administration and veterans' affairs interim committee in accordance with 5-11-210, and veterans' service
22 organizations. The report must include but is not limited to Montana veteran demographic information, the
23 financial impact of division benefit claim services received by Montana veterans, and a summary of the general
24 and special revenue budgets and expenditures for veterans' affairs.
- 25 (j) request legislation responsive to identified needs.
- 26 (2) Employees of the board must be residents of this state. Whenever possible, all employees of
27 the board must have served in the military forces of the United States during World War I, World War II, the
28 Korean war, the Vietnam conflict, or other period of conflict involving the United States military overseas and

1 must have been honorably discharged. Preference for employment must be given to disabled veterans.

2 (3) The ~~board~~ adjutant general shall hire an administrator to implement board policy and carry out

3 the duties of the board."

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