

HOUSE BILL NO. 298

INTRODUCED BY M. BERTOGLIO, R. MARSHALL, D. LOGE, M. HOPKINS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE BOARD OF VETERANS' AFFAIRS; REVISING THE BOARD'S SIZE AND STRUCTURE; DEFINING A QUORUM AS THREE VOTING MEMBERS; AMENDING SECTION 2-15-1205, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-15-1205, MCA, is amended to read:

"2-15-1205. Board of veterans' affairs -- composition -- quorum -- voting -- compensation -- allocation. (1) There is a board of veterans' affairs.

(2) (a) The board consists of ~~20~~ 13 members. All members must be residents of this state. ~~Eleven~~ Six members are voting members, who must be confirmed by the senate, and ~~nine~~ seven members are nonvoting, ex officio members.

(b) The governor shall appoint ~~19~~ 12 members in a manner that provides for staggered terms. The members are:

(i) five regional representatives, who must be voting members and who must have been honorably discharged from service in the military forces of the United States. Each must be appointed to represent a different geographic region of the state and must be a resident of that geographic region. The board shall establish the geographic regions by rule. A member who represents a geographic region and who changes residence to a different geographic region may no longer serve on the board unless appointed as a representative for the new location or as a representative meeting other criteria.

~~(ii) one honorably discharged veteran, who must be a voting member and serve as a representative of veterans at large;~~

~~(iii) one tribal member, who must be an honorably discharged veteran and who is a voting member;~~

~~(iv) three members who must have training, education, or experience related to veterans' issues, including but not limited to health and medical care, mental health care, chemical or drug dependency,~~

1 homelessness, or job training and placement. These three members are voting members.

2 ~~(v) a representative of the office of state director of Indian affairs, who is a nonvoting member;~~

3 ~~(vi)(ii)~~ a representative from the department of public health and human services, who is a nonvoting
4 member;

5 ~~(vii)(iii)~~ a representative of the United States department of veterans affairs, who is a nonvoting
6 member;

7 ~~(viii) a representative of the veterans' employment and training service office in the United States~~
8 ~~department of labor, who is a nonvoting member;~~

9 ~~(ix) a representative of the state administration and veterans' affairs interim committee, who is a~~
10 ~~nonvoting member;~~

11 ~~(x)(iv)~~ three-four members, one representing each house and senate member of Montana's
12 congressional delegation, who are nonvoting members; and

13 ~~(xi)(v)~~ the director of the department of military affairs, who is a nonvoting member.

14 (c) The tribal leaders of the eight tribal councils in Montana may appoint one voting member who is
15 affiliated with a Montana tribe and is an honorably discharged veteran. If a tribal member is not appointed by
16 the Montana tribal leaders, the governor shall choose this member by lot from a pool of names submitted by the
17 eight tribal councils in the state, with each tribal council submitting one name.

18 (3) A vacancy occurring on the board must be filled by the governor, subject to the conditions of
19 subsection (2).

20 (4) A quorum is ~~six~~ three voting members.

21 (5) A vote resulting in a tie is the same as a negative vote.

22 (6) Each voting member must receive meals, lodging, and travel expenses as provided for in 2-18-
23 501 through 2-18-503. Compensation for the legislator who represents the state administration and veterans'
24 affairs interim committee must be paid from the board of veterans' affairs budget.

25 (7) The board shall meet at least three times a year. Special meetings may be called by the
26 administrator or by a majority of voting members. Meetings may be held at different locations around the state
27 to give local veterans an opportunity to attend. Advance notice of meetings must be provided to all veterans'
28 groups and to any individual who requests notification.

1 (8) Each voting member may serve for a maximum of two terms. Each term is for 4 years.

2 (9) A member may be removed by the governor only for incompetence, malfeasance, or neglect of
3 duty.

4 (10) The board is allocated to the department for administrative purposes only as prescribed in 2-
5 15-121. However, the board may hire its own personnel, including an administrator. The administrator shall
6 serve as the secretary of the board and may represent the board in communications with the governor and with
7 other state agencies, notwithstanding the provisions of 2-15-121(3)(a)."

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9 NEW SECTION. Section 2. Transition. (1) The 20-member board of veterans' affairs, established in
10 2-15-1205, must become the 13-member board of veterans' affairs, established in [section 1], on [the effective
11 date of this act].

12 (2) Within 60 days of [the effective date of this act], the governor shall appoint 13 board members
13 who fulfill the requirements of [section 1] according to the following schedule in order to create 4-year staggered
14 terms:

15 (a) seven members who shall serve a term that ends on August 1, 2025; and

16 (b) six members who shall serve a term that ends on August 1, 2027.

17 (3) The governor may appoint an individual who previously served as a board member before [the
18 effective date of this act] to a term provided for in subsection (2) or (4) subject to term limitations provided for in
19 [section 1].

20 (4) After the expiration of a term provided for in subsection (2), the governor shall appoint a person
21 to serve a full 4-year term as provided in [section 1]. A member who previously served an abbreviated term may
22 be reappointed for a full 4-year term subject to term limitations provided in [section 1].

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24 NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 2023.

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