



Background Brief

for the
State Administration and Veterans' Affairs
Interim Committee

Revised as of July 26, 2012

HB 142 - Review of Statutory Advisory Councils and Reports

Prepared by Sheri Scurr, Staff Research Analyst

Overview

Adopted by the 2011 Legislature, House Bill No. 142 added the following duty to the statutory duties of each interim committee.

"...(d) review statutorily established advisory councils and required reports of assigned agencies to make recommendations to the next legislature on retention or elimination of any advisory council or required reports pursuant to 5-11-210;...."

Assigned agencies

The State Administration and Veterans' Affairs Interim Committee (SAVA) is assigned by statute to monitor the following agencies and administratively attached agencies:

- Department of Administration *(6 statutory advisory bodies, 5 statutory reports)*
- Secretary of State *(no statutory advisory councils, 1 statutory report)*
- Commissioner of Political Practices *(no statutory advisory councils, no statutory reports)*
- Department of Military Affairs *(no statutory advisory councils, no statutory reports)*
- Board of Veteran's Affairs *(no statutory advisory councils, 1 statutory report)*
- Teachers' Retirement Board *(no statutory advisory councils, 2 statutory reports)*
- Public Employees' Retirement Board *(1 statutory advisory councils, 2 statutory reports)*

Decision points

The question before SAVA is whether to recommend a committee bill to eliminate or revise the governing statutory language. Absent a committee bill, current statutory language will be retained.

Staff recommendations

The last column in the summary tables provided in the report provide a staff recommendation (or latest committee action) on whether to eliminate, revise, or retain the current statutory language. These recommendations are based only on a technical perspective.

Organization of materials

Table 1 - Statutory advisory councils, boards, or commissions

Table 2 - Statutorily-required reports

Appendix A - MCA sections for statutory advisory councils under the Department of Administration

CI0425 2209sna.

Table 1 - Statutory Advisory Councils, Boards, or Commissions

	Statute	Members	Purpose	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Department of Administration *(MCA sections attached as Appendix A)					
1 - State Employee Group Benefits Advisory Council	2-15-1016	Statute does not specify number. States "diverse group" at least one must be retired public employee, each union with more than 1,000 members entitled to one member. Currently, 12 members appointed by governor.	To review the existing state employee group benefit plans, to review claims problems, and to advise the department on state employee group benefit matters.	10/20/11	Retain
2 - Capitol Complex Advisory Council	2-17-803	9 members specified in statute	To review proposals for long-term placement of displays of art or memorials and the naming of state buildings, spaces, or rooms in the Capitol Complex.	1/27/12	Retain
3 - Electronic Government Advisory Council	2-17-1105	12 members specified by statute	To advise on the creation, management, and administration of electronic government services and information on the internet.	4/19/12	Retain
4 - Information Technology Board	2-15-1021	19 members appointed by various authorities	To provide an advisory forum for executive, judicial, and legislative branch agencies and local governments when the department is setting IT standards and policies.	6/11/12	Retain
5 - 911 Advisory Council	10-4-102(2)	Appointed by the governor; various public safety organizations may submit recommendations for membership.	To provide representatives of 9-1-1 jurisdictions with the opportunity to participate in the development, implementation and management of the State of Montana's 9-1-1- Program.	1/27/12	Retain
6 - Land Information Advisory Council	90-1-405	22 members as specified by statute	To advise on geographic information system and land information priorities; promote coordination; and advocate for the development of consistent policies, standards, and guidelines for land information.	Scheduled for 8/9/12	Retain

	Statute	Members	Purpose	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Public Employees' Retirement Board					
1 - Employee Investment Advisory Council	19-3-2133	Not specified by statute. Appointed by the PERB. Currently 13 members.	<p>19-3-2133. Employee investment advisory council.</p> <p>(1) The board shall create an employee investment advisory council. The advisory council shall meet at least four times a year to:</p> <p>(a) advise the board concerning the operation of the defined contribution plan, including the selection of the initial investment alternatives to be provided pursuant to 19-3-2122;</p> <p>(b) advise the board about negotiating, contracting, or modifying services for the state deferred compensation plan provided for in chapter 50; and</p> <p>(c) review existing deferred compensation plans and to advise the board on the administration of the program.</p>	4/19/12	Retain

Table 2 - Statutory Reports to the Legislature

	Statute	Statutory Language Requiring the Report	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Department of Administration				
1 - Capitol Complex Advisory Council Report	2-17-804(3)	"(3) By November 15 of each year preceding a legislative session, the council shall report to the legislature on requests that the council has reviewed for naming buildings, spaces, and rooms and for placing items in the capitol complex or on the capitol complex grounds. The report must include a recommendation to the legislature on whether reviewed requests meet the criteria established by this part. If a request meets the criteria, the council shall recommend a timeframe during which the project should be authorized."	1/27/12	<u>Revise</u> Require the report to be provided to SAVA in time for a committee bill or agency bill review
2 - Electronic Government Advisory Council Report	2-17-1105(2)(f)	The department shall... "(2) (f) prepare reports upon the request of the governor or the legislature regarding the growth, performance, and use of electronic government services and other measurements that the advisory council considers necessary to implement and enhance the functioning of electronic government services;"	4/19/12	Retain
3 - Employee Incentive Program Report	2-18-1103(3)	The department shall..."(3) prepare and submit, in the manner provided in 5-11-210, a list of awards granted under 2-18-1106 and the corresponding savings to the state and improvements in the effectiveness of state government".	6/11/12	Retain
4- Information Technology Report	2-17-512(1)(x) and 2-17-515	2-17-512: The department shall "(x) shall report to the appropriate interim committee on a regular basis and to the legislature as provided in 5-11-210 on the information technology activities of the department; 2-17-515: Regarding exceptions to the state's information technology policies..."The department shall inform the board, the office of budget and program planning, and the legislative finance committee of all exceptions that are granted and of the rationale for granting the exceptions. The department shall maintain written documentation that identifies the terms and conditions of the exception and the rationale for the exception."	6/11/12	Retain
5 - Montana Land Information Report	90-1-404(l)	(l) report to the governor and the legislature, as provided for in 5-11-210, on the progress made in the ongoing collection, maintenance, standardization, and dissemination of land information;	Scheduled for 8/9/12	Retain

	Statute	Statutory Language Requiring the Report	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Board of Veteran's Affairs *(Appendix B provides the full statute in order to compare the Board's duties with the Board's report)				
Biennial Report	10-2-102(1)(i)	The board shall... "(i) prepare a biennial report to the governor, the department of military affairs, the appropriate legislative interim committee, and veterans' service organizations. The report must include but is not limited to the latest information about the demographics of Montana's veteran population, a needs assessment, annual summaries of the veterans' special revenue accounts established in 10-2-112 and 10-2-603, and a review of the veterans' affairs budget."	6/11/12	SAVA requested that MVAD propose revisions to conform with what MVAD determined was feasible. Staff's recommendation: retain as is and request a more detailed and comprehensive report in the future with information relevant to each of the Board's duties.
Office of Secretary of State				
Uniform Commercial Code Secured Transactions Report	30-9A-527	30-9A-527. Duty to report. The secretary of state shall report to each session of the legislature on the operation of the filing office. The report must contain a statement of the extent to which: (1) the filing-office rules are not in harmony with the rules of filing offices in other jurisdictions that enact substantially this part and the reasons for these variations; and (2) the filing-office rules are not in harmony with the most recent version of the model rules promulgated by the international association of corporate administrators or any successor organization and the reasons for these variations.	Scheduled for 8/9/12	

	Statute	Statutory Language Requiring the Report	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Teachers' Retirement Board				
1 - Annual report - CAFR	5-11-120(11) 19-20-201(1)(d) and (4)	<p>5-11-210, MCA. (11) Each report to the legislature required under 17-6-230, 19-2-405, 19-2-407, and 19-20-201 must be provided to the legislative services division as soon as the report is published. The legislative services division shall ensure that legislators are notified pursuant to this section of the report's availability. During the interim, the legislative services division shall ensure that members of the state administration and veterans' affairs interim committee and the legislative finance committee receive copies of the reports.</p> <p>19-20-201(1) and (4), MCA: (1)(d) submit a report to the office of budget and program planning detailing the fiscal transactions for the 2 fiscal years immediately preceding the report due date, the amount of the accumulated cash and securities of the retirement system, and the last fiscal year balance sheet showing the assets and liabilities of the retirement system;... (4) The board shall make available to the legislature pursuant to 5-11-210 copies of the annual actuarial valuation and report required pursuant to subsections (1)(d) and (1)(f).</p>	1/27/12	Retain
2- Actuarial valuation of TRS	19-20-201(1)(f) and (4)	<p>19-20-201: (f) prepare an annual valuation of the assets and liabilities of the retirement system that includes an analysis of how market performance is affecting the actuarial funding of the retirement system; ... (4) The board shall make available to the legislature pursuant to 5-11-210 copies of the annual actuarial valuation and report required pursuant to subsections (1)(d) and (1)(f).</p>	10/20/11	Retain
3 - Experience study of TRS	none	none (See MPERA reporting requirement under 19-2-405(5))	n/a	<p><u>Revise</u></p> <p>For consistency, add requirement for experience study and report to the legislature - similar to what is in the MPERA statute</p>

	Statute	Statutory Language Requiring the Report	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Public Employees' Retirement Board				
1 - Annual report - CAFR	19-2-407	<p>19-2-407. Reports. (1) As soon as practical after the close of each fiscal year, the board shall file with the governor and with the legislature pursuant to 5-11-210 a report of its work for that fiscal year. The report must include but is not limited to:</p> <p>(a) a statement as to the accumulated cash and securities in the pension trust funds as certified by the state treasurer and the board of investments;</p> <p>(b) a summary of the most recent information available from the actuary concerning the actuarial valuation of the assets and liabilities of each system or plan; and</p> <p>(c) an analysis of how market performance is affecting actuarial funding of each of the retirement systems or plans.</p> <p>(2) The report required under subsection (1) must also provide information concerning the defined contribution plan, including a description of the plan, the number of members in the plan, plan contribution rates, the total amount of money invested by members, investment performance, administrative costs and fees, determinations on the plan choice rate made pursuant to 19-3-2121, and other information required under applicable governmental accounting standards and as determined by the board.</p>	4/19/12	Retain
2 - Actuarial valuation of each system administered by MPERA	19-2-405	(2) The board shall require the actuary to make an annual actuarial investigation into the suitability of the actuarial tables used by the retirement systems and an actuarial valuation of the assets and liabilities of each defined benefit plan that is a part of the retirement systems. <i>(actuarial valuation not required to be reported to the legislature)</i>	10/20/11	<u>Revise</u> Require copy of the report to be made available to the legislature
3 - Experience study report of each system administered by MPERA	5-11-210 19-2-405(5)	<p>5-11-210 (11): Each report to the legislature required under 17-6-230, 19-2-405, 19-2-407, and 19-20-201 must be provided to the legislative services division as soon as the report is published.</p> <p>19-2-405(5): The board shall require the actuary to conduct a periodic actuarial investigation into the actuarial experience of the retirement systems and plans. Copies of the report must be provided to the legislature pursuant to 5-11-210.</p>		

	Statute	Statutory Language Requiring the Report	Date Reviewed	Staff Recommendation: Eliminate, retain, or revise?
Board of Investments *(Board is attached to the Department of Commerce and monitored by the Economic Affairs Interim Committee)				
Report on retirement system trust fund investments and benefits	17-6-230	<p>17-6-230. Reports on retirement system trust fund investments and benefits. (1) As soon as practical after the end of each calendar year, the board of investments shall publish a report on each retirement system trust fund invested by the board. The report may be part of an annual report required pursuant to Article VIII, section 13, of the Montana constitution or 17-5-1650 but must summarize the following with respect to each retirement system trust fund:</p> <ul style="list-style-type: none"> (a) asset allocation; (b) past and expected investment performance; (c) investment goals and strategies; and (d) Montana public employees' retirement system investments and performance compared with the public employees' retirement system investments and performance in other states. <p>(2) The board of investments shall annually at a public meeting present the report described in subsection (1) to the public employees' retirement board provided for in 2-15-1009 and the teachers' retirement board provided for in 2-15-1010. The board shall also provide the report to the legislature pursuant to 5-11-210.</p>		<p><u>Revise</u></p> <p>Require presentation of report to SAVA. Consider whether to eliminate requirement under (1)(d) for comparison with other states or request that the Board's report comply.</p>

APPENDIX A - MCA SECTIONS

Advisory Councils, Commissions, or Boards Under the Department of Administration

1 - STATE EMPLOYEE GROUP BENEFITS ADVISORY COUNCIL

2-15-1016. State employee group benefits advisory council -- composition. (1) The department shall create a state employee group benefits advisory council under 2-15-122.

(2) The members of the advisory council must be selected from a diverse group in order to adequately represent the interests of state employees and retirees.

(3) One member of the advisory council must be a retired state employee.

(4) Each labor organization, as defined in 39-31-103, representing more than 1,000 employees of the state of Montana is entitled to one representative on the advisory council.

2 - CAPITOL COMPLEX ADVISORY COUNCIL

2-17-803. Capitol complex advisory council established -- membership -- staff services -- compensation. (1) There is a capitol complex advisory council.

(2) The council consists of nine members as follows:

(a) two members of the house of representatives appointed by the speaker on a bipartisan basis;

(b) two members of the senate appointed by the committee on committees on a bipartisan basis;

(c) a public representative appointed by the governor; and

(d) the director or the director's designee of each of the following agencies:

(i) the Montana historical society established in 22-3-101;

(ii) the Montana arts council established in 2-15-1513;

(iii) the department of administration established in 2-15-1001; and

(iv) the department of fish, wildlife, and parks established in 2-15-3401.

(3) The council shall select a presiding officer, who may call meetings to conduct council business. The department of administration shall provide staff services to the council.

(4) (a) The council member appointed under subsection (2)(c) is entitled to compensation not to exceed the daily allowance provided for in 5-2-301(3) for compensation of legislators for each day in which the member is actually and necessarily engaged in performing council duties and to travel expense reimbursement as provided in 2-18-501 through 2-18-503.

(b) A council member designated under subsection (2)(d) is not entitled to compensation for services as a member of the council.

(c) A council member appointed under subsection (2)(a) or (2)(b) is entitled to compensation and expenses as provided in 5-2-302.

2-17-804. Council duties and responsibilities. (1) The council shall:

(a) adopt an art and memorial plan for the placement of art and memorials in the capitol complex and on the capitol complex grounds;

(b) review proposals for long-term displays of up to 50 years, subject to renewal, in the capitol complex and on the capitol complex grounds and for the naming of state buildings, spaces, and rooms in the capitol complex;

(c) advise the legislature on the placement of busts, plaques, statues, memorials, monuments, or art displays of a long-term nature in public areas of the capitol complex and on the capitol complex grounds, including the executive residence and the original governor's mansion; and

(d) advise the department of administration on interior decoration of the capitol, grounds maintenance, and grounds displays.

(2) In advising the legislature on long-term displays, the council shall consider whether the bust, plaque, statue, memorial, monument, or art display:

(a) reasonably fits the long-range master plan for the capitol and adjacent grounds developed under 2-17-805;

(b) adversely alters the appearance of the capitol complex;

(c) unreasonably affects foot traffic on the capitol complex;

(d) adversely impacts existing maintenance programs or the utility infrastructure;

(e) recognizes a person or event of statewide significance and relevance;

(f) has artistic merit in design and construction;

(g) will be safely and aesthetically suited to the installation site; and

(h) has adequate funding for design, installation, and maintenance.

(3) By November 15 of each year preceding a legislative session, the council shall report to the legislature on requests that the council has reviewed for naming buildings, spaces, and rooms and for placing items in the capitol complex or on the capitol complex grounds. The report must include a recommendation to the legislature on whether reviewed requests meet the criteria established by this part. If a request meets the criteria, the council shall recommend a timeframe during which the project should be authorized.

3 - ELECTRONIC GOVERNMENT ADVISORY COUNCIL

2-17-1105. Electronic government advisory council. (1) There is an electronic government advisory council. The council consists of the following members:

(a) the director of the department, who serves as presiding officer;

(b) the secretary of state or the secretary of state's designee;

(c) the attorney general or the attorney general's designee;

(d) the director of the department of commerce or the director's designee;

(e) the director of the department of revenue or the director's designee;

(f) the state librarian or the state librarian's designee;

(g) a member of the house of representatives, appointed by the speaker of the house;

- (h) a member of the senate, appointed by the president of the senate;
 - (i) an elected local government official, appointed by the governor;
 - (j) two representatives from state agencies that are not represented on the council, appointed by the governor;
 - (k) two members of the public, appointed by the governor; and
 - (l) the administrator of the information services division of the department.
- (2) The advisory council shall:
- (a) advise the department with regard to the creation, management, and administration of electronic government services and information on the internet;
 - (b) advise the department with regard to the administration of any electronic government services contract;
 - (c) advise the department on the priority of government services to be provided electronically;
 - (d) advise the department on convenience fees, if needed, for any electronic government service;
 - (e) review and advise the department on financial reports, management reports, or other data as requested by the department;
 - (f) prepare reports upon the request of the governor or the legislature regarding the growth, performance, and use of electronic government services and other measurements that the advisory council considers necessary to implement and enhance the functioning of electronic government services;
 - (g) assist in identifying, evaluating, and prioritizing potential departmental and interagency electronic government services;
 - (h) serve as a central coordination point for electronic government services provided by the department or other state agencies; and
 - (i) study, propose, develop, or coordinate any other activity in furtherance of electronic government services as requested by the governor or the legislature.
- (3) Each member of the advisory council shall serve a 2-year term and may be reappointed.
- (4) Vacancies on the advisory council must be filled in the same manner as the original appointment, and the person appointed to fill the vacancy is appointed for the remainder of the unexpired term.
- (5) Members of the advisory council who are not state employees are reimbursed and compensated as provided in 2-15-124. Members who are state employees are not entitled to compensation but are entitled to be reimbursed for expenses as provided in Title 2, chapter 18, part 5. Legislative members of the advisory council are reimbursed and compensated as provided in 5-2-302. The department shall provide support to and pay the expenses of the advisory council.

4 - INFORMATION TECHNOLOGY BOARD

2-15-1021. Information technology board -- membership -- qualifications -- vacancies -- compensation. (1) There is an information technology board. The board consists of 19 members who are appointed as follows:

- (a) the director of the department of administration, who serves as presiding officer of the board;
- (b) the chief information officer provided for in 2-17-511;
- (c) the director of the office of budget and program planning;
- (d) six members who are directors of state agencies and who are appointed by the governor;
- (e) two members representing local government, appointed by the governor;
- (f) one member representing the public service commission, appointed by the public service commission;
- (g) one member representing the private sector, appointed by the governor;
- (h) one member of the house of representatives, appointed by the speaker of the house of representatives;
- (i) one member of the senate, appointed by the president of the senate;
- (j) one member representing the legislative branch, appointed by the legislative branch computer system planning council;
- (k) one member representing the judicial branch, appointed by the chief justice of the supreme court;
- (l) one member representing the university system, appointed by the board of regents; and
- (m) one member representing K-12 education, appointed by the superintendent of public instruction.

(2) Appointments must be made without regard to political affiliation and must be made solely for the wise management of the information technology resources used by the state.

(3) A vacancy occurring on the board must be filled by the appointing authority in the same manner as the original appointment.

(4) The board shall function in an advisory capacity as defined in 2-15-102.

(5) Members of the board must be reimbursed and compensated in the same manner as members of quasi-judicial boards under 2-15-124(7), except that legislative members are reimbursed and compensated as provided in 5-2-302.

2-17-513. Duties of board. The board shall:

- (1) provide a forum to:
 - (a) guide state agencies, the legislative branch, the judicial branch, and local governments in the development and deployment of intergovernmental information technology resources;
 - (b) share information among state agencies, local governments, and federal agencies regarding the development of information technology resources;
- (2) advise the department in the development of cooperative contracts for the purchase of

information technology resources;

(3) review and advise the department on:

(a) statewide information technology standards and policies;

(b) the state strategic information technology plan;

(c) major information technology budget requests;

(d) rates and other charges for services established by the department as provided in 2-17-512(1)(t);

(e) requests for exceptions as provided for in 2-17-515;

(f) notification of proposed exemptions by the university system and office of public instruction as provided for in 2-17-516;

(g) action taken by the department as provided in 2-17-514(1) for any activity that is not in compliance with this part;

(h) transfer of information technology funds, resources, and employees as provided for in 2-17-531; and

(i) the implementation of major information technology projects and advise the respective governing authority of any issue of concern to the board relating to implementation of the project;

(4) study state government's present and future information technology needs and advise the department on the use of emerging technology in state government; and

(5) request information and reports that it considers necessary from any entity using or having access to the statewide telecommunications network or central computer center.

5 - 911 ADVISORY COUNCIL

10-4-102. Department of administration duties and powers. (1) The department shall assist in the development of basic and enhanced 9-1-1 systems in the state. The department shall:

(a) establish procedures for determining and evaluating requests for variations from basic or enhanced 9-1-1 service;

(b) upon request of a 9-1-1 jurisdiction, assist in planning a basic or enhanced 9-1-1 system;

(c) establish criteria for evaluating basic and enhanced 9-1-1 system plans;

(d) monitor implementation of approved basic and enhanced 9-1-1 system plans for compliance with the plan and use of funding; and

(e) as it finds necessary, report to the legislature the progress made in implementing statewide basic and enhanced 9-1-1 systems and in implementing wireless enhanced 9-1-1 services.

(2) The department shall obtain input from all 9-1-1 jurisdictions by creating an advisory council to participate in development and implementation of the 9-1-1 program in the state. The council must be established pursuant to 2-15-122. The highway patrol, emergency medical services organizations, telephone companies, the associated public safety communicators, the department of emergency services, police departments, sheriff's offices, local citizens, organizations, and other public safety organizations may submit recommendations for membership on the advisory council.

(3) The department may request information from a specific 9-1-1 jurisdiction as determined necessary for the department to fulfill its duties under this chapter. If a 9-1-1 jurisdiction does not

comply with the request, the department may suspend distributions to the 9-1-1 jurisdiction as provided in 10-4-302(4).

6 - LAND INFORMATION ADVISORY COUNCIL

90-1-405. Land information advisory council -- appointments -- terms -- vacancies -- compensation. (1) There is a land information advisory council.

(2) The council is composed of the following members:

(a) the director of the department or the director's designee who shall:

(i) serve as the presiding officer of the council; or

(ii) appoint the presiding officer from among the other members of the council;

(b) the state librarian or the state librarian's designee;

(c) to be appointed by the governor:

(i) the directors of four other departments established in Title 2, chapter 15. A director may designate a person to act in the director's absence.

(ii) three persons who represent county or municipal government, at least one of whom is active in land information systems;

(iii) two persons who are employed by the U.S. department of agriculture;

(iv) two persons who are employed by the U.S. department of the interior;

(v) two persons who are active in land information systems and represent public utilities or private businesses;

(vi) one person who represents Indian tribal interests;

(vii) one person who represents the Montana university system;

(viii) two persons who are members of a Montana association of GIS professionals; and

(ix) one person who represents the interests of a Montana association of registered land surveyors;

(d) one member of the Montana state senate, appointed by the committee on committees, who must be appointed prior to the appointment of the member described in subsection (2)(e); and

(e) one member of the Montana house of representatives, appointed by the speaker of the house of representatives, who may not be a member of the same political party as the member of the senate appointed under subsection (2)(d).

(3) Each council member is appointed for a 2-year term that begins on July 1 of the odd-numbered year and ends on June 30 of the succeeding odd-numbered year. A member may be reappointed to the council.

(4) A vacancy on the council must be filled in the same manner as the original appointment, and the person appointed to fill the vacancy shall serve for the remainder of the unexpired term.

(5) (a) A member of the council who is not a legislator or an employee of the state or a political subdivision of the state is eligible to be reimbursed and compensated, as provided in 2-15-124.

(b) A member of the council who is not a legislator but is an employee of the state or a political subdivision of the state is not entitled to compensation but is entitled to be reimbursed for

expenses, as provided in 2-18-501 through 2-18-503.

(c) A legislator who is a member of the council is eligible to be compensated and reimbursed, as provided in 5-2-302.

90-1-406. Land information advisory council -- duties -- advisory only. (1) The council shall:

(a) advise the department with regard to issues relating to the geographic information system and land information;

(b) advise the department on the priority of land information, including data layers, to be developed;

(c) review the land information plan described in 90-1-404 and advise the department on any element of the plan;

(d) advise the department on the development and management of the granting process described in 90-1-404(1)(e);

(e) advise the department on the management of and the distribution of funds in the account;

(f) assist in identifying, evaluating, and prioritizing requests received from state agencies, local governments, and Indian tribal government entities to provide development of and maintenance of services relating to the GIS and land information;

(g) promote coordination of programs, policies, technologies, and resources to maximize opportunities, minimize duplication of effort, and facilitate the documentation, distribution, and exchange of land information; and

(h) advocate for the development of consistent policies, standards, and guidelines for land information.

(2) The council functions in an advisory capacity, as defined in 2-15-102.

APPENDIX B - DUTIES OF THE BOARD OF VETERAN'S AFFAIRS

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:

(i) development and distribution of a services and benefits directory;

(ii) regular public service announcements through various media;

(iii) information to assist veterans and their family members in obtaining federal benefits and treatment services related to depleted uranium exposure, including a best practice health screening of any veteran who:

(A) has been identified pursuant to department of defense policy as having possible level I, II, or III exposure to depleted uranium;

(B) is referred for a health screening by a military physician; or

(C) may have been exposed to depleted uranium during service in a combat zone.

(iv) an internet website with information and links relevant to veterans and their families and including information about board meetings and activities related to veterans' affairs; and

(v) a quarterly newsletter, which may be printed or electronically distributed by e-mail or by posting it to an appropriate website.

(f) seek grants to help fund veterans' programs established pursuant to this section;

(g) develop a memorandum of understanding with the federal veterans' employment and training service and with other appropriate entities to facilitate interagency cooperation, such as resource sharing, cross-training, data and information sharing, and service delivery coordination;

(h) establish management tools, including but not limited to needs assessments, policy statements, program goals and objectives, performance measures, and program evaluation criteria;

(i) prepare a biennial report to the governor, the department of military affairs, the appropriate

legislative interim committee, and veterans' service organizations. The report must include but is not limited to the latest information about the demographics of Montana's veteran population, a needs assessment, annual summaries of the veterans' special revenue accounts established in 10-2-112 and 10-2-603, and a review of the veterans' affairs budget.

(j) request legislation responsive to identified needs.

(2) Employees of the board must be residents of this state. Whenever possible, all employees of the board must have served in the military forces of the United States during World War I, World War II, the Korean war, the Vietnam conflict, or other period of conflict involving the United States military overseas and must have been honorably discharged. Preference for employment must be given to disabled veterans.

(3) The board shall hire an administrator to implement board policy and carry out the duties of the board.