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House BILL NO. *127*
INTRODUCED BY *Grand MURRAY Andrew Talbot*

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE VIETNAM VETERAN'S BONUS TO ANY SERVICEMAN WHO SERVED DURING THE VIETNAM WAR AND WHO WAS TOTALLY DISABLED UPON DISCHARGE; AMENDING SECTION 77-2502, R.C.M. 1947."

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

Section 1. Section 77-2502, R.C.M. 1947, is amended to read as follows:

"77-2502. Purpose--honorarium granted. (1) In recognition and appreciation of the valor and devotion of the persons who by their military service discharged the obligation of the state of Montana to contribute from its manpower to the defense of the republic in the prosecution of the Vietnam War, and in partial adjustment for the economic detriment suffered by them by reason of their service, the state of Montana hereby grants to each such person an honorarium, or adjusted compensation, in a sum to be computed as provided in this section.

(2) Each resident of Montana who was in military service at any time during the Vietnam War, and during part or all of the period of such service was in the Vietnam area, is granted the sum of eighteen dollars and

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seventy-five cents (\$18.75) for each month and major fraction of a month of such service in the Vietnam area. For the purpose of this subdivision:

(a) any serviceman who, while on active duty in the Vietnam area during the Vietnam War, suffered disease or injury from any cause whatsoever, including injury from exposure to weather conditions, and in line of duty, and is hospitalized therefor by any of the military forces, shall be deemed to have been in military service in the Vietnam area as long as he shall be or was continuously hospitalized in any hospital or similar institution under the control of or employed by the United States, wherever situated;

(b) any serviceman who was taken prisoner by the enemy in the Vietnam area, and who was classified by the department of defense as a prisoner of war, shall be deemed to have been in military service in the Vietnam area as long as he shall be or was continuously so classified; but

(c) each such prisoner of war shall be paid not less than seven hundred fifty dollars (\$750), and no serviceman shall be paid, under any of the provisions of this subdivision, more than seven hundred fifty dollars (\$750).

(3) The surviving spouse, children, or parents, as the case may be of, any serviceman who shall have died in line of duty while in military service in the Vietnam area during the Vietnam War, or who shall have died from any cause

HB. 127

1 attributable to his military service, in the Vietnam area in
 2 line of duty, as shown by the records of the United States
 3 veterans administration, prior to receiving a payment under
 4 this section, or who is officially listed as missing in
 5 action, shall be paid the amount to which such deceased or
 6 missing serviceman would have been entitled had he received
 7 such payment, or if that amount is less than seven hundred
 8 fifty dollars (\$750), then such surviving spouse, children,
 9 or parents, as the case may be, shall be paid the sum of
 10 seven hundred fifty dollars (\$750) and no more.

11 (4) Each resident of Montana who was in military
 12 service at any time during the Vietnam war, and who was
 13 totally disabled upon discharge from such service shall be
 14 paid the sum of seven hundred fifty dollars (\$750).

15 ~~(4)~~(5) Notwithstanding any other provisions of this
 16 law:

17 (a) a person who has received or is entitled to
 18 receive from any other state or territory of the United
 19 States a gratuity, bonus, honorarium, adjusted compensation,
 20 or similar payment for military service in the military
 21 forces in the Vietnam War, shall be paid by the state of
 22 Montana only the excess, if any, of the aggregate amount to
 23 which he would otherwise be entitled hereunder, over and
 24 above the amount he receives or is entitled to receive from
 25 such other state or territory; and

1 (b) no payment shall be made under this law to any
 2 person who has been dishonorably discharged from military
 3 service and has not been restored by proper authority to an
 4 honorable status, or to any person still in service who is
 5 in a dishonorable status and has not been restored by proper
 6 authority to an honorable status at the time of payment."

-End-

Approved by Committee
on State Administration

1 House BILL NO. 127
2 INTRODUCED BY Grand MU/AR and heard at large

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE VIETNAM
5 VETERAN'S BONUS TO ANY SERVICEMAN WHO SERVED DURING THE
6 VIETNAM WAR AND WHO WAS TOTALLY DISABLED UPON DISCHARGE;
7 AMENDING SECTION 77-2502, R.C.M. 1947."

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

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11 read as follows:

12 "77-2502. Purpose--honorarium granted. (1) In
13 recognition and appreciation of the valor and devotion of
14 the persons who by their military service discharged the
15 obligation of the state of Montana to contribute from its
16 manpower to the defense of the republic in the prosecution
17 of the Vietnam War, and in partial adjustment for the
18 economic detriment suffered by them by reason of their
19 service, the state of Montana hereby grants to each such
20 person an honorarium, or adjusted compensation, in a sum to
21 be computed as provided in this section.

22 (2) Each resident of Montana who was in military
23 service at any time during the Vietnam War, and during part
24 or all of the period of such service was in the Vietnam
25 area, is granted the sum of eighteen dollars and

1 seventy-five cents (\$18.75) for each month and major
2 fraction of a month of such service in the Vietnam area. For
3 the purpose of this subdivision:

4 (a) any serviceman who, while on active duty in the
5 Vietnam area during the Vietnam War, suffered disease or
6 injury from any cause whatsoever, including injury from
7 exposure to weather conditions, and in line of duty, and is
8 hospitalized therefor by any of the military forces, shall
9 be deemed to have been in military service in the Vietnam
10 area as long as he shall be or was continuously hospitalized
11 in any hospital or similar institution under the control of
12 or employed by the United States, wherever situated;

13 (b) any serviceman who was taken prisoner by the enemy
14 in the Vietnam area, and who was classified by the
15 department of defense as a prisoner of war, shall be deemed
16 to have been in military service in the Vietnam area as long
17 as he shall be or was continuously so classified; but

18 (c) each such prisoner of war shall be paid not less
19 than seven hundred fifty dollars (\$750), and no serviceman
20 shall be paid, under any of the provisions of this
21 subdivision, more than seven hundred fifty dollars (\$750).

22 (3) The surviving spouse, children, or parents, as the
23 case may be of, any serviceman who shall have died in line
24 of duty while in military service in the Vietnam area during
25 the Vietnam War, or who shall have died from any cause

-2- HB 127

1 attributable to his military service, in the Vietnam area in
 2 line of duty, as shown by the records of the United States
 3 veterans administration, prior to receiving a payment under
 4 this section, or who is officially listed as missing in
 5 action, shall be paid the amount to which such deceased or
 6 missing serviceman would have been entitled had he received
 7 such payment, or if that amount is less than seven hundred
 8 fifty dollars (\$750), then such surviving spouse, children,
 9 or parents, as the case may be, shall be paid the sum of
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 19 States a gratuity, bonus, honorarium, adjusted compensation,
 20 or similar payment for military service in the military
 21 forces in the Vietnam War, shall be paid by the state of
 22 Montana only the excess, if any, of the aggregate amount to
 23 which he would otherwise be entitled hereunder, over and
 24 above the amount he receives or is entitled to receive from
 25 such other state or territory; and

1 (b) no payment shall be made under this law to any
 2 person who has been dishonorably discharged from military
 3 service and has not been restored by proper authority to an
 4 honorable status, or to any person still in service who is
 5 in a dishonorable status and has not been restored by proper
 6 authority to an honorable status at the time of payment."

-End-

1 HOUSE BILL NO. 127

2 INTRODUCED BY BRAND, MULAR, JACK MOORE, FABREGA

3
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17 of the Vietnam War, and in partial adjustment for the
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23 case may be of, any serviceman who shall have died in line
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25 the Vietnam War, or who shall have died from any cause

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 10 seven hundred fifty dollars (\$750) and no more.

11 (4) Each resident of Montana who was in-military
 12 service-at-any-time-during-the--Vietnam--war--and--who--was
 13 totally--disabled--upon--discharge--from--such--service TOTALLY
 14 DISABLED BY A SERVICE-CONNECTED DISABILITY AS CERTIFIED BY
 15 THE VETERANS ADMINISTRATION FOR SERVICE IN THE VIETNAM AREA
 16 shall be paid the sum of seven hundred fifty dollars (\$750).

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-End-