

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

BILL FILING TEMPLATE

Be It Enacted, by the Senate and House of Representatives, etc., as follows:

H.B. 3713, “An Act Relative to Exposures to Hazardous Materials by Certain Members of the National Guard”

SECTION 1. Whereas the deferred operation of this act would tend to defeat its purpose which is to assist members of the National Guard exposed to hazardous materials, it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

SECTION 1. As used in this act the following words shall have the following meanings:

“Eligible members” a member of the Massachusetts army or national guard who served in the Persian Gulf War, as defined in 38 USC 101, or in an area designated as a combat zone by the President of the United States during Operation Enduring or Operation Iraqi Freedom;

“Veteran” a veteran as defined in clause forty-third of section 7 of chapter 4 of the General Laws

“Military physician” includes a physician who is under contract with the United States Department of Defense to provide physician services to members of the armed forces;

“Depleted uranium” uranium containing less uranium-235 than the naturally occurring distribution of uranium isotopes;

On or before October 1, 2006 the adjutant general shall assist any eligible member or veteran who (1) has been assigned a risk level I, II or III for depleted uranium exposure by his branch of service, (2) is referred by a military physician, or (3) has reason to believe that he was exposed to depleted uranium during such service; in obtaining federal treatment services, including best practice health screening test for exposure to depleted uranium using a bioassay procedure involving sensitive methods capable of detecting depleted uranium at low levels and the use of equipment with the capacity to discriminate between different radioisotopes in naturally occurring levels of uranium and the characteristic ratio and marker for depleted uranium. No state funds shall be used to pay for such tests or such other federal treatment services.

On or before October 1, 2006, the adjutant general shall submit a report to joint committee on veterans and federal affairs on the scope and adequacy of training received by members of the National Guard on detecting whether their service as eligible members is likely to entail, or to have entailed, exposure to depleted uranium. The report shall include an assessment of feasibility and cost of adding pre-deployment training, concerning potential exposure to depleted uranium and other toxic chemical substances

and the precautions recommended under combat and noncombatant conditions while in a combat zone.

SECTION 2. There is established a task force to study the health effects of the exposure to hazardous materials, including, but not limited to, depleted uranium, as they relate to military service. The task force shall: (1) Initiate a health registry for veterans and military personnel returning from Afghanistan, Iraq or other countries which depleted uranium or other hazardous materials may be found; (2) develop a plan for outreach to and follow-up of military personnel; (3) prepare a report for service members concerning potential exposure to depleted uranium and other toxic chemical substances and the precautions recommended under combat and noncombatant conditions while in a combat zone; and (4) make any other recommendations the task force considers appropriate.

The task force shall consist of the following members or their designee: the adjutant general or his designee, the Secretary of veterans services, the commissioner of public health, 3 members of the senate and 3 members of the house of representatives, 2 members who are veterans with knowledge of or experience with exposure to hazardous materials, 1 to be appointed by the senate president and 1 by the speaker of the house and 4 members who physicians or scientists with knowledge of or experience in the detection or health effects of exposure to depleted uranium or other hazardous materials, 2 to be appointed by the president of the senate and 2 by the speaker of the house.

All appointments shall be made within 30 days of the effective date of this act. Any vacancy shall be filled by the appointing authority. The task force shall choose 1 member of the senate and 1 member of the house as co-chairmen. The chairpersons shall schedule the initial meeting with the task force within 60 days of the effective date of this act.

The staff of the joint committee on veterans and federal affairs shall serve as the administrative staff of the task force.

Not later than January 31, 2008, the task force shall submit a report of its findings and recommendation to the joint committee on veterans and federal affairs. The task force shall terminate on the filing of its report or on January 31, 2008, whichever is earlier.