

FIRST REGULAR SESSION

SENATE BILL NO. 599

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ENGLER.

Read 1st time February 27, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2403S.011

AN ACT

To amend chapter 42, RSMo, by adding thereto three new sections relating to the creation of a military medal of freedom.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 42, RSMo, is amended by adding thereto three new sections, to be known as sections 42.230, 42.232, and 42.234, to read as follows:

42.230. 1. Every veteran who honorably served on active duty in the United States military service at any time since 1990 during a declared war or conflict in the Middle East shall be entitled to receive a medal of freedom under sections 42.230 to 42.234, provided that:

(1) Such veteran is a legal resident of this state or was a legal resident of this state at the time he or she entered or was discharged from military service or at the time of his or her death; and

(2) Such veteran was honorably separated or discharged from military service or is still in active service in an honorable status, or was in active service in an honorable status at the time of his or her death.

2. The medal of freedom shall be awarded regardless of whether or not such veteran served within the United States or in a foreign country. For purposes of sections 42.230 to 42.234, "veteran" means any person defined as a veteran by the United States Department of Veterans' Affairs or its successor agency.

42.232. 1. Except as otherwise provided in sections 42.230 to 42.234, the adjutant general of the state of Missouri shall administer sections 42.230 to 42.234, and may adopt all rules necessary to administer the provisions of sections 42.230 to 42.234. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that

6 is created under the authority delegated in this section shall become
7 effective only if it complies with and is subject to all of the provisions
8 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
9 section and chapter 536, RSMo, are nonseverable and if any of the
10 powers vested with the general assembly pursuant to chapter 536,
11 RSMo, to review, to delay the effective date, or to disapprove and annul
12 a rule are subsequently held unconstitutional, then the grant of
13 rulemaking authority and any rule proposed or adopted after August
14 28, 2007, shall be invalid and void.

15 2. The adjutant general shall determine as expeditiously as
16 possible the persons who are entitled to a medal of freedom under
17 sections 42.230 to 42.234 and distribute such medals as provided in
18 sections 42.230 to 42.234. Applications for the medal of freedom shall
19 be filed with the office of the adjutant general at any time after
20 January 1, 2008, on forms prescribed and furnished by the adjutant
21 general's office. The adjutant general shall approve all applications
22 that are in order, and shall cause a medal to be prepared for each
23 approved veteran in the form created by the veterans' commission
24 under section 42.234.

25 3. The following persons may apply for a medal of freedom under
26 sections 42.230 to 42.234:

27 (1) Any veteran who is entitled to a medal under sections 42.230
28 to 42.234;

29 (2) Any spouse or eldest surviving relative of a veteran who is
30 entitled to a medal under sections 42.230 to 42.234 but who died prior
31 to having made application for such medal.

32 4. If any spouse or eldest surviving relative applies for the medal
33 under subsection 3 of this section or if any veteran dies after applying
34 for a medal under sections 42.230 to 42.234 and such veteran would
35 have been entitled to the medal, the adjutant general shall give the
36 medal to the spouse or eldest surviving relative of the deceased
37 veteran.

38 5. If the adjutant general disallows any veteran's claim to a
39 medal under sections 42.230 to 42.234, a statement of the reason for the
40 disallowance shall be filed with the application and notice of this
41 disallowance shall be mailed to the applicant at the applicant's last
42 known address.

42.234. The veterans' commission shall design the form of the
2 medal and forward the approved designs to the adjutant general for
3 distribution under sections 42.230 to 42.234. It is the intent of the
4 general assembly to create statewide involvement in the design of these
5 symbols in recognition of this historic endeavor. Therefore, in
6 designing the forms, the veterans' commission may solicit potential
7 designs from elementary and secondary schools, veterans' groups, civic
8 organizations or any other interested party, and may select the best
9 design from among such solicited designs, or may select another design.

Unofficial ✓

Bill

Copy