

SENATE BILL NO. 242

INTRODUCED BY J. SESSO

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MONTANA MILITARY SERVICE AWARD TO HONOR MONTANA'S FALLEN HEROES WHO WERE MEMBERS OF THE UNITED STATES ARMED FORCES AND WERE KILLED WHILE SERVING IN COMBAT; SPECIFYING ELIGIBILITY CRITERIA AND THE PROCESS FOR AWARDING THE MEDAL; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, whenever there are threats to our national security, the Unites States armed forces stand ready to protect our nation; and

WHEREAS, the United States armed forces also protect the lives and freedoms of individuals from other nations who cannot fight for themselves; and

WHEREAS, the United States armed forces are known for their skill, patriotism, compassion, and bravery in answering the call to serve in Iraq and Afghanistan; and

WHEREAS, the state of Montana has sent many of its own citizens to serve in the regular, national guard, and reserve forces of the United States Army, Air Force, Navy, Marine Corps, and Coast Guard to protect us all against foreign and domestic threats to our national security; and

WHEREAS, many who have been called to serve have been killed in action, courageously sacrificing their lives to protect the lives of others; and

WHEREAS, the people of the state of Montana are grateful to these fallen heroes and wish to support and stand with surviving family members to honor and forever remember these brave servicemen and servicewomen who have given their lives so that others might live.

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

NEW SECTION. Section 1. Montana military service award to honor Montana's fallen heroes -- administration by department of military affairs. (1) There is a Montana military service award. The award is to honor members of the United States armed forces who were residents of the state of Montana at one time in their lives and who were, on or after the start of the Iraq war on March 19, 2003, killed in the line of duty while:
(a) engaged in military operations against an enemy of the United States;

1 (b) serving with a friendly foreign military force engaged in an armed conflict in which the United States
2 is not a belligerent party; or

3 (c) serving in a combat zone designated by presidential order.

4 (2) (a) The president of the senate shall request the drafting of and shall introduce during each regular
5 legislation session a joint resolution naming each person to be a recipient of the Montana military service award.

6 (b) If both houses of the legislature pass the joint resolution, the Montana military service award must
7 be presented by the governor, the president of the senate, and the speaker of the house of representatives to
8 family members or designated representatives of the award recipients during a special joint floor session of the
9 senate and the house of representatives. If a family member or designated representative of an award recipient
10 cannot be present to accept the award, the award may be mailed to the family member or designated
11 representative.

12 (3) The department of military affairs shall administer the provisions of this section, determine award
13 recipients, and coordinate with family members and representatives who will be accepting the awards on behalf
14 of the recipients.

15 (4) For purposes of this section, "United States armed forces" means the regular and reserve
16 components of the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

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18 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
19 integral part of Title 1, chapter 1, part 5, and the provisions of Title 1, chapter 1, part 5, apply to [section 1].

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21 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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