

1 SENATE BILL NO. 242

2 INTRODUCED BY SESSO, ANKNEY, BUTTREY, CUFFE, HOLLENBAUGH, KEANE, LARSEN, LYNCH,
3 MCCLAFFERTY, WITTICH

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MONTANA ~~MILITARY-SERVICE AWARD~~ OF
6 VALOROUS SERVICE TO HONOR MONTANA'S FALLEN HEROES WHO WERE MEMBERS OF THE UNITED
7 STATES ARMED FORCES AND WERE KILLED WHILE SERVING IN COMBAT; SPECIFYING ELIGIBILITY
8 CRITERIA AND THE PROCESS FOR AWARDING THE MEDAL; AUTHORIZING THE DEPARTMENT OF
9 MILITARY AFFAIRS TO ACCEPT AND SPEND PRIVATE DONATIONS TO FUND THE AWARD; AND
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

16 WHEREAS, the United States armed forces are known for their skill, patriotism, compassion, and bravery
17 in answering the call to serve in ~~Iraq and Afghanistan~~ COUNTRIES AROUND THE WORLD; and

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

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

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

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

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29 NEW SECTION. **Section 1. Montana ~~military-service award~~ OF VALOROUS SERVICE to honor**
30 **Montana's fallen heroes -- administration by department of military affairs.** (1) There is a Montana ~~military~~

1 ~~service award~~ OF VALOROUS SERVICE. The award is to honor members of the United States armed forces who were
 2 LEGAL residents of the state of Montana ~~at one time in their lives~~ OR WERE STATIONED IN OR DEPLOYED FROM
 3 MONTANA and who were, on or after the ~~start of the Iraq war on March 19, 2003~~ DECLARATION OF WORLD WAR II
 4 ON DECEMBER 8, 1941, killed in the line of duty OR WERE CLASSIFIED AS MISSING IN ACTION while:

5 (a) engaged in military operations against an enemy of the United States;

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

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

9 (2) (a) The president of the senate shall request the drafting of and shall introduce during each regular
 10 legislation session a joint resolution naming each person to be a recipient of the Montana ~~military service award~~
 11 OF VALOROUS SERVICE.

12 (b) If both houses of the legislature pass the joint resolution, the Montana ~~military service award~~ OF
 13 VALOROUS SERVICE must be presented by the governor, the president of the senate, and the speaker of the house
 14 of representatives to ~~family members or designated representatives of the award recipients~~ A SURVIVING FAMILY
 15 MEMBER, AS DESIGNATED BY THE AWARD RECIPIENT IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM OR
 16 BY LAW, during a special joint floor session of the senate and the house of representatives. If a THE SURVIVING
 17 family member ~~or designated representative~~ of an award recipient cannot be present to accept the award, the
 18 award may be mailed to the SURVIVING family member ~~or designated representative~~.

19 (3) (A) The department of military affairs shall administer the provisions of this section, determine award
 20 recipients, INCLUDING THE APPROPRIATE SURVIVING FAMILY MEMBER, and coordinate with THE SURVIVING family
 21 members and representatives who will be accepting the awards on behalf of the recipients.

22 (B) SURVIVING FAMILY MEMBERS OR SERVICE ORGANIZATIONS SHALL NOTIFY THE DEPARTMENT OF MILITARY
 23 AFFAIRS IF THE SURVIVING FAMILY MEMBER BELIEVES A DECEASED RELATIVE IS ELIGIBLE OR IF A SERVICE ORGANIZATION
 24 IS AWARE OF POSSIBLE AWARD RECIPIENTS.

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

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 28 NEW SECTION. SECTION 2. AUTHORIZATION OF OTHER FUNDING SOURCE. THE DEPARTMENT OF MILITARY
 29 AFFAIRS IS AUTHORIZED TO ACCEPT AND EXPEND UP TO \$20,000 IN FUNDS FROM DONATIONS TO PURCHASE AND MAIL
 30 MEDALS TO SURVIVING FAMILY MEMBERS.

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NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 1, chapter 1, part 5, and the provisions of Title 1, chapter 1, part 5, apply to [section 1].

NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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