



AN ACT ESTABLISHING A MONTANA AWARD OF VALOROUS SERVICE TO HONOR MONTANA'S FALLEN HEROES WHO WERE MEMBERS OF THE UNITED STATES ARMED FORCES AND WERE KILLED OR CLASSIFIED AS MISSING IN ACTION WHILE SERVING IN COMBAT OR MILITARY OPERATIONS; SPECIFYING ELIGIBILITY CRITERIA AND THE PROCESS FOR AWARDING THE MEDAL; AUTHORIZING THE DEPARTMENT OF MILITARY AFFAIRS TO ACCEPT AND SPEND PRIVATE DONATIONS TO FUND THE AWARD; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, whenever there are threats to our national security, the United 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 countries around the world; 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:

Section 1. Montana award of valorous service to honor Montana's fallen heroes -- administration by department of military affairs. (1) There is a Montana award of valorous service. The award is to honor

members of the United States armed forces who were legal residents of the state of Montana or were stationed in or deployed from Montana and who were, on or after December 7, 1941, killed in the line of duty or were classified as missing in action while:

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

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

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

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

(b) If both houses of the legislature pass the joint resolution, the Montana award of valorous service must be presented by the governor, the president of the senate, and the speaker of the house of representatives to a surviving family member, as designated by the award recipient in the defense enrollment eligibility reporting system or by law, during a special joint floor session of the senate and the house of representatives. If the surviving family member of an award recipient cannot be present to accept the award, the award may be mailed to the surviving family member.

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

(b) Surviving family members or service organizations shall notify the department of military affairs if the surviving family member believes a deceased relative is eligible or if a service organization is aware of possible award recipients.

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

Section 2. Authorization of other funding source. The department of military affairs is authorized to accept and expend up to \$20,000 in funds from donations to purchase and mail medals to surviving family members.

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].

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

- END -

I hereby certify that the within bill,
SB 0242, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2013.

Speaker of the House

Signed this _____ day
of _____, 2013.

SENATE BILL NO. 242

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

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