

3956

2011-2012 Regular Sessions

I N   S E N A T E

March 10, 2011

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Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the military law, in relation to providing for the "cold war veterans medal" to be granted to certain veterans

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivisions 1-a and 4 of section 247 of the military law,  
2     subdivision 1-a as added and subdivision 4 as amended by chapter 184 of  
3     the laws of 1998, are amended and a new subdivision 1-b is added to read  
4     as follows:  
5     1-a. The governor is hereby authorized to present in the name of the  
6     legislature of the state of New York, a military decoration, to be known  
7     as the "conspicuous service star", bearing a suitable inscription,  
8     device, and ribbon, all of which shall be of suitable design, to any  
9     person (i) who is a citizen of the state of New York or (ii) who was a  
10    citizen of the state of New York while serving in the armed forces of  
11    the United States, and who, while serving in the United States Armed  
12    Forces, defined as army, air force, navy, marine corps, or coast guard,  
13    has, or shall have received a United States unit level decoration denot-  
14    ing combat participation and foreign unit awards, issued from a company,  
15    regimental, brigade, or division commander, or equivalent naval unit, or  
16    issued by the President of the United States, the Congress of the United  
17    States, the United States Defense Department or the joint chiefs of  
18    staff, such as, but not limited to, a presidential unit citation or a  
19    joint meritorious unit award. Not more than one conspicuous service star  
20    shall be issued to any one person; nor shall any citation be awarded or  
21    presented, under the provisions of this subdivision, to any person whose  
22    entire service subsequent to the time of the receipt of such star shall  
23    not have been honorable. For each succeeding star as provided herein,  
24    such person shall be entitled to wear, as the [chief of staff] ADJUTANT

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD09873-01-1

1 GENERAL of the state may direct, a ribbon whose color and design shall  
2 be selected by the division of [military] MILITARY AND NAVAL affairs. In  
3 the event of the death of any person during or subsequent to the receipt  
4 of such citation the conspicuous service star shall be presented to such  
5 representative of the deceased as may be designated. The [chief of  
6 staff] ADJUTANT GENERAL shall make such rules and regulations as may be  
7 deemed necessary for the proper presentation and distribution of such  
8 decorations.

9 1-B. THE GOVERNOR IS HEREBY AUTHORIZED TO PRESENT IN THE NAME OF THE  
10 LEGISLATURE OF THE STATE OF NEW YORK, A MILITARY DECORATION, TO BE KNOWN  
11 AS THE "COLD WAR VETERANS MEDAL", BEARING A SUITABLE INSCRIPTION, DEVICE  
12 AND RIBBON, ALL OF WHICH SHALL BE OF SUITABLE DESIGN, TO ANY PERSON (I)  
13 WHO IS A CITIZEN OF THE STATE OF NEW YORK OR (II) WHO WAS A CITIZEN OF  
14 THE STATE OF NEW YORK WHILE SERVING IN THE ARMED FORCES OF THE UNITED  
15 STATES, DEFINED AS THE ARMY, AIR FORCE, NAVY, MARINE CORPS OR COAST  
16 GUARD, OR THE ORGANIZED MILITIA, AT ANY TIME DURING THE PERIOD BETWEEN  
17 APRIL SIXTEENTH, NINETEEN HUNDRED FORTY-SEVEN THROUGH DECEMBER  
18 TWENTY-FIRST, NINETEEN HUNDRED NINETY-ONE. NOT MORE THAN ONE COLD WAR  
19 VETERANS MEDAL SHALL BE ISSUED TO ANY ONE PERSON; NOR SHALL ANY CITATION  
20 BE AWARDED OR PRESENTED, UNDER THE PROVISIONS OF THIS SUBDIVISION, TO  
21 ANY PERSON WHOSE ENTIRE SERVICE SUBSEQUENT TO THE TIME OF THE RECEIPT OF  
22 SUCH MEDAL SHALL NOT HAVE BEEN HONORABLE. FOR EACH SUCCEEDING MEDAL  
23 PRESENTED AS PROVIDED IN THIS SUBDIVISION, SUCH PERSON SHALL BE ENTITLED  
24 TO WEAR, AS THE ADJUTANT GENERAL OF THE STATE MAY DIRECT, A RIBBON WHOSE  
25 COLOR AND DESIGN SHALL BE SELECTED BY THE DIVISION OF MILITARY AND NAVAL  
26 AFFAIRS. IN THE EVENT OF THE DEATH OF ANY PERSON DURING OR SUBSEQUENT TO  
27 THE RECEIPT OF SUCH CITATION THE COLD WAR VETERANS MEDAL SHALL BE  
28 PRESENTED TO SUCH REPRESENTATIVE OF THE DECEASED AS MAY BE DESIGNATED.  
29 THE ADJUTANT GENERAL SHALL MAKE SUCH RULES AND REGULATIONS AS MAY BE  
30 DEEMED NECESSARY FOR THE PROPER PRESENTATION AND DISTRIBUTION OF SUCH  
31 DECORATIONS.

32 4. This section shall not be construed to require that a recipient of  
33 the conspicuous service cross [or], the conspicuous service star OR THE  
34 COLD WAR VETERANS MEDAL has been a resident of the state of New York at  
35 the time of his or her entry into the United States army, air force,  
36 navy, marine corps, COAST GUARD or nurses corps.

37 S 2. This act shall take effect immediately.