

2574

2013-2014 Regular Sessions

I N   S E N A T E

January 22, 2013

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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 the issuance of a Cold War certificate

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

1     Section 1. Section 247 of the military law is amended by adding a new  
2     subdivision 1-b to read as follows:  
3     1-B. THE ADJUTANT GENERAL IS HEREBY AUTHORIZED TO PRESENT IN THE NAME  
4     OF THE LEGISLATURE OF THE STATE OF NEW YORK, A CERTIFICATE, TO BE KNOWN  
5     AS THE "COLD WAR CERTIFICATE", BEARING A SUITABLE INSCRIPTION, TO ANY  
6     PERSON: (I) WHO IS A CITIZEN OF THE STATE OF NEW YORK OR (II) WHO WAS A  
7     CITIZEN OF THE STATE OF NEW YORK WHILE SERVING IN THE ARMED FORCES OF  
8     THE UNITED STATES; (III) WHO SERVED IN THE UNITED STATES ARMED FORCES  
9     DURING THE PERIOD OF TIME FROM SEPTEMBER SECOND, NINETEEN HUNDRED  
10    FORTY-FIVE THROUGH DECEMBER TWENTY-SIXTH, NINETEEN HUNDRED NINETY-ONE,  
11    COMMONLY KNOWN AS THE COLD WAR ERA; AND (IV) WHO WAS HONORABLY  
12    DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES DURING THE COLD WAR  
13    ERA. NOT MORE THAN ONE COLD WAR CERTIFICATE SHALL BE AWARDED OR  
14    PRESENTED, UNDER THE PROVISIONS OF THIS SUBDIVISION, TO ANY PERSON WHOSE  
15    ENTIRE SERVICE SUBSEQUENT TO THE TIME OF THE RECEIPT OF SUCH MEDAL SHALL  
16    NOT HAVE BEEN HONORABLE. IN THE EVENT OF THE DEATH OF ANY PERSON DURING  
17    OR SUBSEQUENT TO THE RECEIPT OF SUCH CERTIFICATE IT SHALL BE PRESENTED  
18    TO SUCH REPRESENTATIVE OF THE DECEASED AS MAY BE DESIGNATED. THE ADJUTANT  
19    GENERAL, IN CONSULTATION WITH THE DIRECTOR OF THE DIVISION OF  
20    VETERANS' AFFAIRS, SHALL MAKE SUCH RULES AND REGULATIONS AS MAY BE  
21    DEEMED NECESSARY FOR THE PROPER PRESENTATION AND DISTRIBUTION OF THE  
22    CERTIFICATE.  
23    S 2. Subdivision 4 of section 247 of the military law, as amended by  
24    chapter 184 of the laws of 1998, is amended to read as follows:

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

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1     4. This section shall not be construed to require that a recipient of  
2 the conspicuous service cross [or], the conspicuous service star OR THE  
3 COLD WAR CERTIFICATE has been a resident of the state of New York at the  
4 time of his or her entry into the United States army, air force, navy,  
5 marine corps, or nurses corps.  
6     S 3. This act shall take effect on the one hundred twentieth day after  
7 it shall have become a law. The division of military and naval affairs  
8 is authorized to promulgate any and all rules and regulations and take  
9 any other measures necessary to implement the provisions of this act on  
10 its effective date on or before such date.