

STATE OF NEW YORK

9586

IN ASSEMBLY

January 23, 2018

Introduced by M. of A. DenDEKKER, CUSICK, LAVINE, HUNTER -- read once
and referred to the Committee on Veterans' Affairs

AN ACT to amend the military law, in relation to establishing the "New
York State Silver Rose Veterans Service Certificate"

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Section 247 of the military law is amended by adding a new
2 subdivision 1-c to read as follows:

3 1-c. 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 "New York State Silver Rose Veterans Service Certificate", bear-
6 ing a suitable inscription to any person: (i) who is a citizen of the
7 state of New York; or (ii) who was a citizen of the state of New York
8 while serving in the armed forces of the United States, and who while
9 serving in the armed forces of the United States, or the organized mili-
10 tia on active duty was exposed to dioxin or phenoxy herbicides, as
11 evinced by a medical diagnosis of a disease associated with dioxin or
12 phenoxy herbicides, and any other proof determined by the adjutant
13 general to be necessary; and (iii) who was honorably discharged or
14 released under honorable circumstances. Not more than one New York State
15 Silver Rose Veterans Certificate shall be awarded or presented, under
16 the provisions of this subdivision, to any person whose entire service
17 subsequent to the time of the receipt of such certificate shall not have
18 been honorable. In the event of the death of any person during or subse-
19 quent to the receipt of such certificate it shall be presented to such
20 representative of the deceased as may be designated. The adjutant gener-
21 al, in consultation with the director of the division of veterans'
22 affairs, shall make such rules and regulations as may be deemed neces-
23 sary for the proper presentation and distribution of such certificates.

24 § 2. Subdivision 4 of section 247 of the military law, as amended by
25 chapter 477 of the laws of 2013, is amended to read as follows:

26 4. This section shall not be construed to require that a recipient of
27 the conspicuous service cross, the conspicuous service star ~~[or]~~, the
28 Cold War Certificate or the New York State Silver Rose Veterans Service

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

LBD11563-05-7

1 **Certificate** has been a resident of the state of New York at the time of
2 his or her entry into the United States army, air force, navy, marine
3 corps, or nurses corps.

4 § 3. Subdivision 1-a of section 247 of the military law, as added by
5 chapter 184 of the laws of 1998, is amended to read as follows:

6 1-a. The governor is hereby authorized to present in the name of the
7 legislature of the state of New York, a military decoration, to be known
8 as the "conspicuous service star", bearing a suitable inscription,
9 device, and ribbon, all of which shall be of suitable design, to any
10 person (i) who is a citizen of the state of New York or (ii) who was a
11 citizen of the state of New York while serving in the armed forces of
12 the United States, and who, while serving in the United States Armed
13 Forces, defined as army, air force, navy, marine corps, or coast guard,
14 has, or shall have received a United States unit level decoration denot-
15 ing combat participation and foreign unit awards, issued from a company,
16 regimental, brigade, or division commander, or equivalent naval unit, or
17 issued by the President of the United States, the Congress of the United
18 States, the United States Defense Department or the joint chiefs of
19 staff, such as, but not limited to, a presidential unit citation or a
20 joint meritorious unit award. Not more than one conspicuous service star
21 shall be issued to any one person; nor shall any citation be awarded or
22 presented, under the provisions of this subdivision, to any person whose
23 entire service subsequent to the time of the receipt of such star shall
24 not have been honorable. For each succeeding star as provided herein,
25 such person shall be entitled to wear, as the chief of staff of the
26 state may direct, a ribbon whose color and design shall be selected by
27 the division of [~~military~~] **military and naval** affairs. In the event of
28 the death of any person during or subsequent to the receipt of such
29 citation the conspicuous service star shall be presented to such repre-
30 sentative of the deceased as may be designated. The chief of staff shall
31 make such rules and regulations as may be deemed necessary for the prop-
32 er presentation and distribution of such decorations.

33 § 4. This act shall take effect on the one hundred eightieth day after
34 it shall have become a law. Provided that, effective immediately, the
35 adjutant general is authorized to promulgate any and all rules and regu-
36 lations, and take any other actions necessary to implement the provision
37 of this act on its effective date on or before such date.