

STATE OF NEW YORK

7186

2019-2020 Regular Sessions

IN ASSEMBLY

April 11, 2019

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Veterans' Affairs

AN ACT to amend the military law, in relation to the issuance of a New
York State Vietnam War Service Medal

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-d to read as follows:

3 1-d. The adjutant general is hereby authorized to present in the name
4 of the legislature of the state of New York, a medal, to be known as the
5 "New York State Vietnam War Service Medal", bearing a suitable
6 inscription, to any person: (i) who is a citizen of the state of New
7 York; or (ii) who was a citizen of the state of New York while serving
8 in the armed forces of the United States; (iii) who served in the United
9 States Armed Forces, defined as army, air force, navy, marine corps, or
10 coast guard, or the organized militia on active duty abroad in the Viet-
11 nam War during the period of time from November first, nineteen hundred
12 fifty-five through April thirtieth, nineteen hundred seventy-five; and
13 (iv) who was honorably discharged or released under honorable circum-
14 stances during the Vietnam War. Not more than one New York State Vietnam
15 War Service Medal shall be awarded or presented, under the provisions of
16 this subdivision, to any person whose entire service subsequent to the
17 time of the receipt of such medal shall not have been honorable. For
18 each succeeding star as provided herein, such person shall be entitled
19 to wear, as the chief of staff of the state may direct, a ribbon whose
20 color and design shall be selected by the division of military and naval
21 affairs. In the event of the death of any person during or subsequent to
22 the receipt of such certificate it shall be presented to such represen-
23 tative of the deceased as may be designated. The adjutant general, in
24 consultation with the director of the division of veterans' affairs,

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

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1 shall make such rules and regulations as may be deemed necessary for the
2 proper presentation and distribution of such medals.

3 § 2. Subdivision 4 of section 247 of the military law, as amended by
4 chapter 332 of the laws of 2018, is amended to read as follows:

5 4. This section shall not be construed to require that a recipient of
6 the conspicuous service cross, the conspicuous service star, the Cold
7 War Certificate ~~[or]~~, the New York State Silver Rose Veterans Service
8 Certificate or the New York State Vietnam Service Medal has been a resi-
9 dent of the state of New York at the time of his or her entry into the
10 United States army, air force, navy, marine corps, or nurses corps.

11 § 3. This act shall take effect on the one hundred twentieth day after
12 it shall have become a law; provided, however, that if chapter 332 of
13 the laws of 2018 shall not have taken effect on or before such date then
14 section two of this act shall take effect on the same date and in the
15 same manner as such chapter of the laws of 2018 takes effect. The divi-
16 sion of military and naval affairs is authorized to promulgate any and
17 all rules and regulations and take any other measures necessary to
18 implement the provisions of this act on its effective date on or before
19 such date.