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 Assembly, do enact as follows:

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

1-d. The adjutant general is hereby authorized to present in the name of the legislature of the state of New York, a medal, to be known as the "New York State Vietnam War Service Medal", bearing a suitable inscription, to any person: (i) who is a citizen of the state of New York; or (ii) who was a citizen of the state of New York while serving in the armed forces of the United States; (iii) who served in the United States Armed Forces, defined as army, air force, navy, marine corps, or coast guard, or the organized militia on active duty abroad in the Vietnam War during the period of time from November first, nineteen hundred fifty-five through April thirtieth, nineteen hundred seventy-five; and (iv) who was honorably discharged or released under honorable circumstances during the Vietnam War. Not more than one New York State Vietnam War Service Medal shall be awarded or presented, under the provisions of this subdivision, to any person whose entire service subsequent to the time of the receipt of such medal shall not have been honorable. For each succeeding star as provided herein, such person shall be entitled to wear, as the chief of staff of the state may direct, a ribbon whose color and design shall be selected by the division of military and naval affairs. In the event of the death of any person during or subsequent to the receipt of such certificate it shall be presented to such representative of the deceased as may be designated. The adjutant general, in 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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shall make such rules and regulations as may be deemed necessary for the proper presentation and distribution of such medals.

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

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

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