

SECOND REGULAR SESSION

HOUSE BILL NO. 1190

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MYERS, WHORTON, JETTON, MAYER,
COLEMAN (Co-sponsors), BEARDEN, REINHART, BARNITZ, NAEGER, GASKILL, SCHWAB,
BARTELSMEYER, BERKSTRESSER, HUNTER, MILLER, CRAWFORD, ROBIRDS, KING, GRAHAM,
FROELKER, LUETKEMEYER, BOWMAN, DOLAN, BLACK, PHILLIPS, MOORE AND LEVIN.

Pre-filed December 11, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2602L.01H

AN ACT

To amend chapter 42, RSMo, by adding thereto four new sections relating to Korean War veterans' awards.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 42, RSMo, is amended by adding thereto four new sections, to be
2 known as sections 42.200, 42.205, 42.210, and 42.215, to read as follows:

**42.200. 1. Every veteran who honorably served on active duty in the United States
2 military service at any time beginning June 25, 1950, and ending July 27, 1953, shall be
3 entitled to receive a medallion, medal, and a certificate of appreciation under sections
4 42.200 to 42.215, provided that:**

5 **(1) Such veteran is a legal resident of this state on August 28, 2001; and**

6 **(2) Such veteran was honorably separated or discharged from military service or
7 is still in active service in an honorable status.**

8 **2. The medallion, medal, and the certificate shall be awarded regardless of whether
9 or not such veteran served within the United States or in a foreign country. The medallion,
10 medal, and the certificate shall be awarded regardless of whether or not such veteran was
11 under eighteen years of age at the time of enlistment. For purposes of sections 42.200 to
12 42.215, "veteran" means any person defined as a veteran by the United States Department
13 of Veterans' Affairs or its successor agency.**

**42.205. 1. Except as otherwise provided in sections 42.200 to 42.215, the adjutant
2 general of the state of Missouri shall administer sections 42.200 to 42.215, and may adopt
3 all rules and regulations necessary to administer the provisions of sections 42.200 to 42.215.**

4 No rule or portion of a rule promulgated under sections 42.200 to 42.215 shall become
5 effective unless promulgated pursuant to chapter 536, RSMo.

6 2. The adjutant general shall determine as expeditiously as possible the persons
7 who are entitled to a medallion, medal, and a certificate under sections 42.200 to 42.215
8 and distribute the medallions, medals, and the certificates as provided in sections 42.200
9 to 42.215. Applications for the medallion, medal, and the certificate shall be filed with the
10 office of the adjutant general at any time after January 1, 2002, and before January 1,
11 2003, on forms prescribed and furnished by the adjutant general's office. The adjutant
12 general shall approve all applications that are in order, and shall cause a medallion, medal,
13 and a certificate to be prepared for each approved veteran in the form created by the
14 veterans' commission under section 42.210.

15 3. If any person dies after applying for a medallion, medal and a certificate under
16 sections 42.200 to 42.215 and such person would have been entitled to the medallion, medal,
17 and the certificate, the adjutant general shall give the medallion, medal, and the certificate
18 to the person to whom the largest portion of the veteran's estate was given in such veteran's
19 will. If the estate was split evenly among two or more persons, the surviving spouse, the
20 eldest living child, or the closest relative by degree of consanguinity, in that order, shall
21 receive the medallion, medal, and the certificate. If there was no will, the veteran's
22 intestate survivor shall receive the medallion, medal, and the certificate.

23 4. If the adjutant general disallows any veteran's claim to a medallion, medal, and
24 a certificate under sections 42.200 to 42.215, a statement of the reason for the disallowance
25 shall be filed with the application and notice of this disallowance shall be mailed to the
26 applicant at the applicant's last known address.

 42.210. The veterans' commission shall design the form of the medallion, medal,
2 and the certificate and forward the approved designs to the adjutant general for
3 distribution under sections 42.170 to 42.185. It is the intent of the general assembly to
4 create statewide involvement in the design of these symbols in recognition of this historic
5 endeavor. Therefore, in designing the forms, the veterans' commission may solicit
6 potential designs from elementary and secondary schools, veterans' groups, civic
7 organizations or any other interested party, and may select the best design from among
8 such solicited designs, or may select another design.

 42.215. 1. The "Korean War Veterans' Recognition Award Fund" is hereby
2 created in the state treasury, and shall consist of all gifts, donations, and bequests to the
3 fund. The fund shall be administered by the adjutant general. Notwithstanding the
4 provisions of section 33.080, RSMo, to the contrary, moneys in the Korean War veterans'
5 recognition award fund shall not be transferred to the credit of the general revenue fund

6 at the end of the biennium. Interest and moneys earned on the fund shall be credited to
7 the fund.

8 2. Moneys in the fund shall be used solely to promote the solicitation for designs
9 for, aid in the manufacture of and aid in the distribution of the medallion, medal, and the
10 certificate.

11 3. When all allowed medallions, medals, and certificates have been distributed, the
12 fund shall automatically be terminated. Any balance remaining in the fund after all such
13 distributions shall be transferred to the veterans' commission capital improvement trust
14 fund created in section 313.835, RSMo.