

FIRST REGULAR SESSION

HOUSE BILL NO. 455

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SMITH (14) (Sponsor), GATSCHENBERGER,
DIECKHAUS AND NIEVES (Co-sponsors).

0188L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 42, RSMo, by adding thereto four new sections relating to the Global War on Terrorism Medallion Program.

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 42.240, 42.242, 42.244, and 42.246, to read as follows:

42.240. 1. **There is hereby created within the state adjutant general's office the**
2 **"Global War on Terrorism Medallion Program". Every veteran who honorably served**
3 **on active duty in the United States military service at any time beginning September 11,**
4 **2001, and ending with the end of the Global War on Terrorism, shall be entitled to receive**
5 **a Global War medallion, medal, and a certificate of appreciation under sections 42.240 to**
6 **42.246, provided that:**

7 (1) **Such veteran is a legal resident of this state or was a legal resident of this state**
8 **at the time he or she entered or was discharged from military service or at the time of his**
9 **or her death; and**

10 (2) **Such veteran was honorably separated or discharged from military service or**
11 **is still in active service in an honorable status, or was in active service in an honorable**
12 **status at the time of his or her death.**

13 2. **The Global War on Terrorism medallion, medal, and a certificate shall be**
14 **awarded regardless of whether or not such veteran served within the United States or in**
15 **a foreign country. The medallion, medal, and the certificate shall be awarded regardless**
16 **of whether or not such veteran was under eighteen years of age at the time of enlistment.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 For purposes of sections 42.240 to 42.246, "veteran" means any person defined as a veteran
18 by the United States Department of Veterans' Affairs or its successor agency.

42.242. 1. Except as otherwise provided in sections 42.240 to 42.246, the adjutant
2 general of the state of Missouri shall administer the provisions of sections 42.240 to 42.246,
3 and may adopt all rules and regulations necessary to administer the provisions of sections
4 42.240 to 42.246. Any rule or portion of a rule, as that term is defined in section 536.010,
5 RSMo, that is created under the authority delegated in sections 42.240 to 42.246 shall
6 become effective only if it complies with and is subject to all of the provisions of chapter
7 536, RSMo, and, if applicable, section 536.028, RSMo. Sections 42.240 to 42.246 and
8 chapter 536, RSMo, are nonseverable and if any of the powers vested with the general
9 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to
10 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
11 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be
12 invalid and void.

13 2. The adjutant general shall determine as expeditiously as possible the persons
14 who are entitled to a Global War on Terrorism medallion, medal, and a certificate under
15 sections 42.240 to 42.246 and distribute the medallions, medals, and the certificates as
16 provided in sections 42.240 to 42.246. Applications for the Global War on Terrorism
17 medallion, medal, and the certificate shall be filed with the office of the adjutant general
18 at any time after January 1, 2010, on forms prescribed and furnished by the adjutant
19 general's office. The adjutant general shall approve all applications that are in order, and
20 shall cause a Global War on Terrorism medallion, medal, and a certificate to be prepared
21 for each approved veteran in the form created by the veterans' commission under section
22 42.244. The medallions, medals, and certificates shall be awarded until the supply of
23 medallions, medals, and certificates is exhausted. The adjutant general shall notify the
24 general assembly when such supply totals less than one hundred.

25 3. The following persons may apply for a Global War on Terrorism medallion,
26 medal, and a certificate under sections 42.240 to 42.246:

27 (1) Any veteran who is entitled to a Global War on Terrorism medallion, medal,
28 and a certificate under sections 42.240 to 42.246;

29 (2) Any spouse or eldest living survivor of a deceased veteran who would be entitled
30 to a Global War on Terrorism medallion, medal, and a certificate under sections 42.240 to
31 42.246 but who died prior to having made application for such medallion, medal, and
32 certificate.

33 4. If any spouse or eldest living survivor applies for the Global War on Terrorism
34 medallion, medal, and certificate under subsection 3 of this section or if any veteran dies

35 after applying for a Global War on Terrorism medallion, medal, and a certificate under
36 sections 42.240 to 42.246 and such veteran would have been entitled to the Global War on
37 Terrorism medallion, medal, and the certificate, the adjutant general shall give the Global
38 War on Terrorism medallion, medal, and the certificate to the spouse or eldest living
39 survivor of the deceased veteran.

40 5. If the adjutant general disallows any veteran's claim to a Global War on
41 Terrorism medallion, medal, and a certificate under sections 42.240 to 42.246, a statement
42 of the reason for the disallowance shall be filed with the application and notice of this
43 disallowance shall be mailed to the applicant at the applicant's last known address.

42.244. The veterans' commission shall design the form of the Global War on
2 Terrorism medallion, medal, and the certificate and forward the approved designs to the
3 adjutant general for distribution under sections 42.240 to 42.246. It is the intent of the
4 general assembly to create statewide involvement in the design of these symbols in
5 recognition of this historic endeavor. Therefore, in designing the forms, the veterans'
6 commission may solicit potential designs from elementary and secondary schools, veterans'
7 groups, civic organizations, or any other interested party, and may select the best design
8 from among such solicited designs, or may select another design.

42.246. 1. The "Global War on Terrorism Veterans' Recognition Award Fund"
2 is hereby created in the state treasury, and shall consist of all gifts, donations, and bequests
3 to the fund and all funds transferred to the veterans' commission capital improvement
4 trust fund from any remaining balances in the World War II veterans' recognition award
5 fund, the Korean Conflict veterans' recognition award fund, and the Vietnam War
6 veterans' recognition award fund. The fund shall be administered by the adjutant general.
7 Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the
8 Gulf veterans' recognition award fund shall not be transferred to the credit of the general
9 revenue fund at the end of the biennium. Interest and moneys earned on the fund shall be
10 credited to the fund.

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

14 3. When all allowed Global War on Terrorism medallions, medals, and certificates
15 have been distributed, the fund shall automatically be terminated. Any balance remaining
16 in the fund after all such distributions shall be transferred to the veterans' commission
17 capital improvement trust fund created in section 313.835, RSMo.

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