

HCS HB 1524 & 2260 -- VETERANS AND MEMBERS OF THE MILITARY

SPONSOR: Day (Largent)

COMMITTEE ACTION: Voted "do pass" by the Committee on Veterans by a vote of 11 to 0.

This substitute changes the laws regarding veterans and members of the military and establishes the Missouri Youth Challenge Academy. In its main provisions, the substitute:

- (1) Specifies that the State of Missouri recognizes the designations of Prisoner of War (POW) and Missing in Action (MIA) as valid descriptions of casualty status and category classification for military personnel;
- (2) Defines "primary next of kin" as, in order of precedence, surviving spouse, eldest child, father or mother, eldest brother or sister, or eldest grandchild as it relates to the Uniform Code of Military Justice;
- (3) Requires the Adjutant General to establish the Missouri Youth Challenge Academy for at-risk high school age youth. The residential military-based academy will provide work experience and training in life skills, citizenship, life-coping and academic skills, among others. The Missouri Youth Challenge Foundation Fund is created consisting of gifts, donations, appropriations, transfers, and bequests. The Adjutant General is authorized to make grants from the fund to support the academy;
- (4) Allows a sergeant major or a command sergeant major from the National Guard and a reserve unit to serve on the panel of the Missouri Military Family Relief Fund. Currently, only a command sergeants major of the guard and a command sergeants major of a reserve unit can be members of the panel;
- (5) Requires a member of the state militia, including its reserve forces, to be considered a state employee for the purposes of the State Legal Expense Fund and for workers' compensation coverage when he or she is ordered to active military duty or called to duty by the Governor;
- (6) Authorizes the Governor, upon the recommendation of the Adjutant General, to present:
 - (a) A Legion of Merit Medal to individuals who have exceptionally meritorious conduct in the performance of outstanding military service and achievement reflecting honorably and creditably upon the state; and

(b) A campaign ribbon to individuals who have served in direct support of several military campaigns. The ribbons include a Missouri Iraq Campaign Ribbon, a Missouri Afghanistan Campaign Ribbon, a Missouri Kosovo Campaign Ribbon, and a Missouri Vietnam Campaign Ribbon;

(7) Authorizes the Adjutant General to present:

(a) A Missouri Adjutant General Staff Identification Badge to an individual based on demonstrated outstanding performance of duty; and

(b) The Missouri National Guard First Sergeant Ribbon to an individual who has been a first sergeant for three years and has been recommended by his or her squadron or company for having demonstrated exceptional and honorable leadership qualities and dedication as a first sergeant;

(8) Requires the Secretary of State to establish procedures for absent uniformed services and overseas voters to request voter registration applications and absentee ballot applications. At least one form of electronic communication for use by absent uniformed services and overseas voters must be designated for requesting voter registration applications and absentee ballots. These voters may request and designate a preferred method of electronic transmission of these applications and ballots or request receipt by mail. The Secretary of State must also develop, in coordination with local election authorities, a free access system by which these voters may determine whether an absentee ballot has been received by the appropriate election authority. A sufficient quantity of paper ballots for federal elections must be printed and available for these voters within 45 days prior to the election. Registration applications and paper ballots cannot be rejected by an election authority because of any restriction on the paper or envelope type. Missouri is required to use the special write-in absentee ballot provided in Section 115.292, RSMo, for all elections for federal office as authorized by federal law;

(9) Adds a dependent of a retired military member who relocates to Missouri within one year of the date of his or her parent's retirement from active duty to the three year attendance exemption requirement for the A+ Program;

(10) Adds a person designated by an active duty military member on the United States Department of Defense Form 93, Record of Emergency Data, to the term next-of-kin as it relates to the common law right of sepulcher in choosing and controlling the final disposition of a person who died while on active duty;

(11) Requires the State Treasurer upon receiving a military medal to hold and maintain it until the original owner or his or her heirs or beneficiaries can be found. The State Treasurer may designate a veteran's organization or other appropriate organization as custodian of a medal until the owner or his or her heirs or beneficiaries are located; and

(12) Authorizes the Governor to present the Governor's Unit Citation to a unit, team, or task force of the Missouri National Guard which served after September 11, 2001, during state emergency duty or a federal deployment with outstanding honor and distinction.

The substitute contains an emergency clause for the provisions regarding the Missouri Youth Challenge Academy.

FISCAL NOTE: Estimated Cost on General Revenue of \$15,575 in FY 2011, \$0 in FY 2012, and \$0 in FY 2013. Estimated Effect on Other State Funds of an income of \$0 or a cost of Unknown in FY 2011, FY 2012, and FY 2013.

PROPOSERS: Supporters of House Bill 1524 say that it is needed to clarify that state employees in the Missouri National Guard are eligible for the purposes of the State Legal Defense Fund when deployed to active duty. The new ribbons are the least the state can do to show appreciation to these individuals who have served our state and nation in direct support of several military campaigns.

Supporters of House Bill 2260 say that it makes the state statutes consistent with the federal Military and Overseas Voting Act. The bill makes sure that ballots are sent and received by the members of the military serving out of state and overseas. Currently, there is a very cumbersome process in place, and it is difficult for service members to vote. The bill will ensure that the rights of soldiers are protected and that they are allowed to participate in the election process.

Testifying for HB 1524 were Representative Largent; Missouri National Guard Association; and Dewey Rhein, Veterans of Foreign Wars, Missouri Department and Missouri Association of Veterans Organizations.

Testifying for HB 2260 were Representative Todd; Anthony Bamvokais, Missouri National Guard; Dewey Rhein, Veterans of Foreign Wars, Missouri Department and Missouri Association of Veterans Organizations; Robert Osborn, Korean War Veterans Association; and Office of the Secretary of State.

OPPOSERS: There was no opposition voiced to the committee.