

Senate Engrossed

**FILED**

**KEN BENNETT**

**SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

CHAPTER 31

# **SENATE BILL 1429**

AN ACT

AMENDING SECTION 41-603, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 3, ARTICLE 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-608.05; RELATING TO THE ARIZONA GOLD STAR MILITARY MEDAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-603, Arizona Revised Statutes, is amended to  
3 read:

4 41-603. Powers and duties

5 A. The department may act as guardian of an incapacitated veteran, the  
6 incapacitated spouse of a veteran or minor children of a veteran, or as  
7 conservator of the estate of a protected veteran or of the veteran's  
8 incapacitated or surviving spouse or of the minor children of a veteran. The  
9 department may act in all fiduciary matters, including as power of attorney,  
10 trustee, custodian or representative payee of a veteran, spouse of a veteran  
11 or minor child of a veteran. The department may act as the personal  
12 representative of the estate of a deceased veteran, deceased spouse of a  
13 veteran or deceased child of a veteran.

14 B. The department shall:

15 1. Assist veterans and their families and dependents in presenting,  
16 providing and establishing claims, privileges, rights and benefits they may  
17 have under federal, state or local law.

18 2. Inform veterans and their families and dependents and military and  
19 civilian authorities about federal, state and local laws enacted to benefit  
20 veterans and their families and dependents and members of the armed forces.

21 3. Collect information relating to services and facilities available  
22 to veterans.

23 4. Cooperate with all government and private agencies receiving  
24 services for or benefits to veterans and their families and dependents.

25 5. Conduct administrative reviews and, if possible, correct abuses or  
26 prevent exploitation of veterans and their families or dependents and  
27 recommend corrective legislation.

28 6. Adopt rules deemed necessary to administer this article.

29 7. Enter into agreements with veterans' organizations in this state  
30 holding a charter granted by the Congress of the United States for the  
31 beneficial interest of veterans.

32 8. Verify and provide written confirmation to the person of  
33 eligibility for special license plates issued pursuant to section 28-2455 by  
34 determining that all of the following are true:

35 (a) The person was a member of the United States armed forces on  
36 December 7, 1941.

37 (b) The person received an honorable discharge from the United States  
38 armed forces.

39 (c) The person was on station on December 7, 1941, during the hours of  
40 7:55 a.m. to 9:45 a.m., Hawaii time at Pearl Harbor, the Island of Oahu or  
41 offshore, at a distance not exceeding three miles.

42 9. Evaluate, supervise, approve and disapprove programs offered by  
43 educational institutions and training establishments pursuant to United  
44 States Code titles 10 and 38 and state rules, so that veterans and their

1 dependents may draw the educational allowance provided by federal law while  
2 pursuing approved programs.

3 10. Approve or disapprove veterans' organizations seeking to solicit  
4 money or other support in this state in the name of American veterans.

5 C. The department may:

6 1. Acquire property for and construct and operate a veterans' home  
7 facility in southern Arizona.

8 2. Acquire property for and establish and operate cemeteries for  
9 veterans in this state.

10 3. Acquire real estate, property rights and related infrastructure  
11 pursuant to section 41-1512.01, subsection G. The department of veterans'  
12 services shall transfer any real estate, property rights and related  
13 infrastructure to the state land department for the purposes of preserving or  
14 enhancing military installations in this state.

15 4. Establish a training center to provide training to current or  
16 potential employees and the veteran community. The department may establish  
17 a fee for this training.

18 5. AWARD THE ARIZONA GOLD STAR MILITARY MEDAL, IF APPROPRIATE AND IF  
19 FUNDING IS AVAILABLE.

20 Sec. 2. Title 41, chapter 3, article 7, Arizona Revised Statutes, is  
21 amended by adding section 41-608.05, to read:

22 41-608.05. Arizona gold star military medal

23 A. THE ARIZONA GOLD STAR MILITARY MEDAL MAY BE AWARDED ON BEHALF OF  
24 THE PEOPLE OF THIS STATE TO AN INDIVIDUAL WHO HAS BEEN KILLED IN ACTION FROM  
25 AND AFTER SEPTEMBER 10, 2001 WHILE:

26 1. ENGAGED IN AN ACTION AGAINST AN ENEMY OF THE UNITED STATES.

27 2. ENGAGED IN MILITARY OPERATIONS INVOLVING CONFLICT WITH AN OPPOSING  
28 FOREIGN FORCE.

29 3. SERVING WITH FRIENDLY FOREIGN FORCES ENGAGED IN AN ARMED CONFLICT  
30 AGAINST AN OPPOSING ARMED FORCE IN WHICH THE UNITED STATES IS NOT A  
31 BELLIGERENT PARTY.

32 4. SERVING IN A COMBAT ZONE AS DESIGNATED BY A PRESIDENTIAL ORDER.

33 B. A RECIPIENT OF THE ARIZONA GOLD STAR MILITARY MEDAL MAY HAVE THE  
34 RECIPIENT'S NAME ENTERED ON THE ARIZONA GOLD STAR MILITARY MEDAL HONOR ROLL.

35 C. AN INDIVIDUAL ELIGIBLE TO RECEIVE THE ARIZONA GOLD STAR MILITARY  
36 MEDAL INCLUDES:

37 1. A MEMBER OF THE ARIZONA NATIONAL GUARD WHO WAS A LEGAL RESIDENT OF  
38 THIS STATE AT THE TIME THE MEMBER WAS KILLED IN ACTION.

39 2. A MEMBER OF THE UNITED STATES MILITARY RESERVES WHO WAS A LEGAL  
40 RESIDENT OF THIS STATE AT THE TIME THE MEMBER WAS KILLED IN ACTION.

41 3. A MEMBER OF THE REGULAR UNITED STATES ARMED FORCES WHO WAS:

42 (a) A LEGAL RESIDENT OF THIS STATE AT THE TIME THE MEMBER WAS KILLED  
43 IN ACTION.

44 (b) STATIONED IN THIS STATE BY A PROPER ORDER OF THE UNITED STATES  
45 DEPARTMENT OF DEFENSE AT THE TIME THE MEMBER WAS KILLED IN ACTION.

1           4. A MEMBER OF THE ARIZONA NATIONAL GUARD, UNITED STATES MILITARY  
2 RESERVES OR REGULAR UNITED STATES ARMED FORCES WHO:  
3           (a) ATTENDED A PUBLIC OR PRIVATE EDUCATIONAL INSTITUTION IN THIS STATE  
4 AT SOME PERIOD DURING THEIR LIFE.  
5           (b) WAS KILLED IN ACTION.  
6           D. ON THE REQUEST OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF  
7 THE HOUSE OF REPRESENTATIVES, THE DEPARTMENT MAY AWARD THE ARIZONA GOLD STAR  
8 MILITARY MEDAL PURSUANT TO SECTION 41-603.  
9           E. STATE GENERAL FUND MONIES SHALL NOT BE USED OR EXPENDED TO PAY ALL  
10 OR ANY PART OF THE COST TO DESIGN, MANUFACTURE OR PRODUCE THE ARIZONA GOLD  
11 STAR MILITARY MEDAL.

APPROVED BY THE GOVERNOR JULY 9, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2009.

Passed the House June 26, 20 09

by the following vote: 50 Ayes,

0 Nays, 10 Not Voting

Atton R. Fry  
Speaker of the House  
Pro Tempore  
Thomas L. Moore  
Chief Clerk of the House

Passed the Senate June 18, 20 09

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

Robert L. Simon  
President of the Senate  
Charmine Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
15<sup>th</sup> day of July, 2009

at 8:53 o'clock A. M.

Susan K Myers  
Secretary to the Governor

Approved this 9<sup>th</sup> day of

July, 2009,

at 3:22 o'clock P M.

Janice K. Brewer  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 9 day of July, 2009,

at 4:15 o'clock P. M.  
Ken Blumenthal  
Secretary of State

S.B. 1429