Senate Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

CHAPTER 191

SENATE BILL 1313

AN ACT

AMENDING SECTIONS 41-603 AND 41-608.05, ARIZONA REVISED STATUTES; RELATING TO THE MILITARY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

41-603. Powers and duties

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

B. The department shall:

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

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

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

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

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

6. Adopt rules deemed necessary to administer this article.

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

8. Verify and provide written confirmation to the person of eligibility for special license plates issued pursuant to section 28-2475 by determining that all of the following are true:

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

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

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

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

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

10. ESTABLISH AN APPLICATION PROCESS FOR THE ARIZONA GOLD STAR MILITARY MEDAL, SHALL VERIFY THE ELIGIBILITY OF RECIPIENTS AND, IF FUNDING IS AVAILABLE, MAY AWARD THE ARIZONA GOLD STAR MILITARY MEDAL TO AN ELIGIBLE INDIVIDUAL.

C. The department may:

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

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

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

~~4. Award the Arizona gold star military medal, if appropriate and if funding is available.~~

Sec. 2. Section 41-608.05, Arizona Revised Statutes, is amended to read:

41-608.05. Arizona gold star military medal

A. The Arizona gold star military medal may be awarded on behalf of the people of this state to an individual who has been killed in action from and after ~~September 10, 2001~~ FEBRUARY 13, 1912 while:

1. Engaged in an action against an enemy of the United States.

2. Engaged in military operations involving conflict with an opposing foreign force.

3. Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

4. Serving in a combat zone as designated by a presidential order.

B. A recipient of the Arizona gold star military medal may have the recipient's name entered on the Arizona gold star military medal honor roll.

~~C. An individual eligible to receive the Arizona gold star military medal includes:~~

~~1.~~ C. A member of the Arizona national guard, UNITED STATES MILITARY RESERVES OR REGULAR UNITED STATES ARMED FORCES who was a legal resident of this state at the time the member was killed in action OR DIED IN THE LINE OF DUTY WHILE DEPLOYED IN SUPPORT OF COMBAT OPERATIONS FROM AND AFTER FEBRUARY 13, 1912 IS ELIGIBLE TO RECEIVE THE ARIZONA GOLD STAR MILITARY MEDAL.

~~2. A member of the United States military reserves who was a legal resident of this state at the time the member was killed in action.~~

~~3. A member of the regular United States armed forces who was:~~

~~(a) A legal resident of this state at the time the member was killed in action.~~

~~(b) Stationed in this state by a proper order of the United States department of defense at the time the member was killed in action.~~

~~4. A member of the Arizona national guard, United States military reserves or regular United States armed forces who:~~

~~(a) Attended a public or private educational institution in this state at some period during their life.~~

~~(b) Was killed in action.~~

D. ~~On the request of the president of the senate and the speaker of the house of representatives,~~ The department may award the Arizona gold star military medal pursuant to section 41-603 ON VERIFICATION OF AN INDIVIDUAL'S ELIGIBILITY BASED ON THE APPLICATION SUBMITTED BY THE INDIVIDUAL'S FAMILY MEMBER. APPLICATIONS SHALL BE ACCOMPANIED BY A COPY OF THE MILITARY ISSUED REPORT OF CASUALTY, PROOF OF RESIDENCY AT THE TIME THE ELIGIBLE INDIVIDUAL WAS KILLED IN ACTION AND PROOF OF THE APPLICANT'S RELATIONSHIP TO THE INDIVIDUAL.

E. State general fund monies shall not be used or expended to pay all or any part of the cost to design, manufacture or produce the Arizona gold star military medal.

APPROVED BY THE GOVERNOR APRIL 23, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 24, 2014.

Passed the House April 17, 2014,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Speaker of the House

Cheryl Larabee

Chief Clerk of the House

Passed the Senate February 24, 2014,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

President of the Senate

Charmain Bellington

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR
This Bill was received by the Governor this

21 day of April, 2014,

at 11:30 o'clock A M.

Mikhaila Howard

Secretary to the Governor

Approved this 23rd day of

April, 2014,

at 11:43 o'clock A 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 ~~[illegible]~~ 24th day of April, 2014,

at 8:57 o'clock a M.

Ken Bennett

Secretary of State

S.B. 1313