

Bill as
Introduced

HB 220 - AS INTRODUCED

2013 SESSION

13-0177

09/01

HOUSE BILL **220**

AN ACT relative to the New Hampshire medal of honor.

SPONSORS: Rep. Graham, Hills 7; Rep. Major, Rock 14; Rep. Kappler, Rock 3; Rep. Theberge, Coos 3; Rep. Baldasaro, Rock 5; Sen. D'Allesandro, Dist 20; Sen. Bradley, Dist 3

COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS

This bill revises eligibility requirements for the New Hampshire medal of honor.

This bill is a request of the adjutant general.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the New Hampshire medal of honor.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Hampshire Medal of Honor; Eligibility. Amend RSA 110-B:81 to read as follows:
2 110-B:81 New Hampshire Medal of Honor.

3 I. There is established a New Hampshire medal of honor, which may be awarded on behalf of
4 the people of the state of New Hampshire to any New Hampshire citizen who has given his or her life
5 while in ~~[the line of duty]~~ **military service** to protect and preserve the rights and freedoms of the
6 people of New Hampshire on or after November 4, 1979, and while:

- 7 (a) Engaged in an action against an enemy of the United States.
- 8 (b) Engaged in military operations involving conflict with an opposing foreign force.
- 9 (c) Assigned as military personnel to friendly foreign forces engaged in an armed conflict
- 10 against an opposing armed force in which the United States is not a belligerent party.
- 11 (d) Serving in a combat zone as designated by Presidential order **and killed in action**.
- 12 (e) ~~[Engaged in training in preparation for deployment to a combat zone as designated by~~
- 13 ~~Presidential order.~~

14 (f) Serving in the military and killed as a result of a terrorist act.

15 II. ~~[The adjutant general shall cause the name of a recipient of the New Hampshire medal of~~
16 ~~honor to be entered on a New Hampshire medal of honor roll.~~

17 ~~III.]~~ **In addition to the individuals described in paragraph I**, individuals eligible to
18 receive the New Hampshire medal of honor ~~[include]~~ **are limited to:**

- 19 (a) Members of the New Hampshire national guard at the time they were killed.
- 20 (b) Members of the United States military reserves who were legal residents of
- 21 New Hampshire at the time they were killed.
- 22 (c) Members of the United States armed forces who were:
- 23 (1) Legal residents of New Hampshire at the time they were killed.
- 24 (2) Stationed in New Hampshire by a proper order of the United States Department
- 25 of Defense at the time they were killed.

26 **III. Satisfying the requirements of paragraphs I and II shall not result in the**
27 **automatic award of the New Hampshire medal of honor. The totality of the circumstances**
28 **of the death shall also be considered in awarding the medal of honor.**

29 IV. The New Hampshire medal of honor shall be awarded, with the recommendation of the
30 adjutant general, by a joint resolution introduced by the president of the senate, the speaker of the
31 house of representatives, or the senator or a member of the house of representatives representing the
32 town or city of residence of the individual killed.

1 V. The adjutant general, with the approval of the governor and council, shall design and
2 provide for the manufacture of the New Hampshire medal of honor. The adjutant general shall design
3 and maintain a New Hampshire medal of honor roll, which shall be available for public viewing.

4 VI. The governor shall present the New Hampshire medal of honor awarded under this
5 section to the family members of the recipient.

6 ***VII. The adjutant general shall cause the name of a recipient of the***
7 ***New Hampshire medal of honor to be entered on the New Hampshire medal of honor roll.***

8 2 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

PUBLIC HEARING ON HB 220

BILL TITLE: relative to the New Hampshire medal of honor.

DATE: 1/29/13

LOB ROOM: 203 **Time Public Hearing Called to Order:** 10:07 am

Time Adjourned: 10:17 am

(please circle if present)

Committee Members: Reps. Theberge, C. Sweeney, Spainhower, Carey, McCloskey, Meneau, Palangas, Garrity, Massimilla, Timothy Smith, Baldasaro, Rideout, Notter, Christiansen, Todd Smith, Rollins, Priestly and Lundgren.

Bill Sponsors: Rep. Graham, Hills 7; Rep. Major, Rock 14; Rep. Kappler, Rock 3; Rep. Theberge, Coos 3; Rep. Baldasaro, Rock 5; Sen. D'Allesandro, Dist 20; Sen. Bradley, Dist 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Sponsor: Rep. Graham (Hills / 7)

Good to start of with the pledge of allegiance. Bill deals with who is illegible and the change to correct the current law. Does support the bill. Difference is that training deaths occur every day. Next speaker will clarify the issue at hand.

No questions for committee members

Brigadier General Carolyn Protzmann (also overseas National Guard)

*Submitted written testimony attached.

Rep. Tim Smith: Difference between line of duty vs. in the line of service. Service is more general definition.

Time hearing closed: 10:17

P.S. 58 medals awarded to date.

Respectfully submitted,



Rep. Dale Spainhower, Clerk

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

PUBLIC HEARING ON HB 220

BILL TITLE: relative to the New Hampshire medal of honor.

DATE:

1/24/13

LOB ROOM:

203

Time Public Hearing Called to Order:

10:07am

Time Adjourned:

10:17am

(please circle if present)

Committee Members: Reps. Theberge, C. Sweeney, Spainhower, Carey, McCloskey, Menear, Palangas, Garrity, Massimilla, Timothy Smith, Baldasaro, Rideout, Nutter, Christiansen, Todd Smith, Rollins, Priestly and Lundgren.

Bill Sponsors: Rep. Graham, Hills 7; Rep. Major, Rock 14; Rep. Kappler, Rock 3; Rep. Theberge, Coos 3; Rep. Baldasaro, Rock 5; Sen. D'Allesandro, Dist 20; Sen. Bradley, Dist 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Public Hearing
January 24, 2013

HB 220 relative to the New Hampshire medal of honor

Time: 10:07 a.m.

Sponsor: Rep. Graham (Hills / 7)

Good to start of with the pledge of allegiance. Bill deals with who is illegible and the change to correct the current law. Does support the bill. Difference is that training deaths occur every day. Next speaker will clarify the issue at hand.

No questions for committee members

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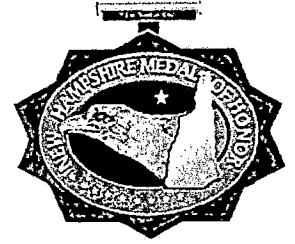
~~HB 219 Limiting the authority of delegates to Article V conventions~~

~~Time:~~

~~Sponsor: Rep. Itse~~

Testimony

New Hampshire Medal of Honor



The State of New Hampshire, with undying gratitude for their service and in deep admiration of their selfless devotion to duty and country, most humbly presents the New Hampshire Medal of Honor.

This commemorative medal personifies the dignity, integrity and valor of the brave servicemen and servicewomen who have proudly represented their home state and given "the last full measure of devotion" in defense of their country.

The medal itself is a ten point star, drawing inspiration from the breathtaking strength and clarity of a North Country midnight sky with each star point representing the ten counties that together, make up the State of New Hampshire.

Gold lettering heralds New Hampshire's patriotic cry "Live Free or Die". The illuminating words are boldly announced on a separate bar providing support for the ten point star. Reminiscent of General Stark's historic toast to his comrades-in-arms on liberty and freedom, New Hampshire's state motto adorns this solemn medal revealing the purpose of life lived and lost by the recipient.

An oval serves as the heart of the star: representing the continuum of life -- with hope, never ending, always beginning.

Presiding powerfully across the oval is the American eagle, the sacred symbol of the United States of America. The eagle's majestic profile is poised and reaching forward in flight, a visionary preparing to peacefully soar in the skies above with dignity. The eagle's mouth is closed as it is not possible to adequately express words of sorrow and appreciation at such a solemn time.

Nine stars fill the lower part of the medal: representing our state's special place in our nation's history as the ninth state to ratify the Constitution of the United States.

The outline of the state of New Hampshire, polished and smooth, reflects and mirrors the emotions of the families and loved ones of the recipient. Its unique shape is unblemished.

One shining gold star rises above the eagle at the center of the medal: for it represents the Gold Star family for whom this presentation is given - and for whom much is owed.

The colors of the pendant are deep green, purple, bronze, polished bronze and gold. It is suspended on a distinctly designed multi-colored cloth ribbon of pale blue, deep green, white, gray and purple.

The colors and their significance on the ribbon are as follows:

Four pale blue stripes: each pertaining to the waters of life in New Hampshire: the ocean, lakes, rivers and streams.

Two wider deep green stripes: the deep forest and agricultural lands that are natural elements in New Hampshire.

Two white stripes: the snow covered White Mountains.

Two gray stripes: represents granite, the bedrock of New Hampshire.

One dominate purple stripe: valor, reminiscent of the Purple Heart, also the state flower, the purple lilac.

All stripes are vertical, leaning upward, bringing our fallen hero home to God.

The shadow box enclosure is constructed by New Hampshire craftsmen from white birch, the New Hampshire state tree.

**Testimony before the Committee on State Federal Relations and Veterans
Affairs**

House Bill 220 – January 24, 2013

By Brig General Carol Protzmann ATAGNH

Thank you for this opportunity to speak with you this morning. Senators and Representatives, some in this room, who authored this important piece of legislation: thank you on behalf of all our NH military and their families for providing such a solemn and dignified tribute to the service and ultimate sacrifice of these brave women and men. In the past three years our state presented 58 Medals of Honor.

As we move forward, and in review of the criteria of this bill, we have introduced clarification and modification to this award to ensure, for future generations, the intent of honoring the sacrifice our military members were willing to take to protect and preserve the rights and freedoms of this great state and nation.

In doing so, most significant to our actions, we are eliminating the paragraph stating *those engaged in training in preparation for deployment to a combat zone as designated by Presidential order are eligible for this award*. As devastating as a loss of life is, and certainly while in service to our military, we are concerned that the circumstances in a training environment, although demanding, are not hostile. Our soldiers, in a training environment, are not engaged with the enemy, are not expected to conduct acts of courage in the preservation of our liberties and, although operate in a very challenging environment, are not in harm's way, not operating in a hostile environment and, in fact, are carefully monitored and instructed in order that they learn the proper tools, techniques and procedures which will help assure their survival in a true combat environment.

We believe the true intent of this original legislation was to provide the state the opportunity to honor our service members' death in combat as the decisive sacrifice and the expression of that honor by the state is the presentation of the state's highest military award, our Medal of Honor. Indeed the New Hampshire Medal of Honor is directly modeled using the US Medal of Honor criteria, which reads;

An individual distinguishes himself (or herself) conspicuously by gallantry and intrepidity at the risk of his (or her) life above and beyond the call of duty. It further defines such service;

- i. while engaged in an action against an enemy of the United States;**
- ii. while engaged in military operations involving conflict with an opposing foreign force; or**
- iii. while 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**

We recognize that those military members who died in different circumstances are deserving of acclamation; but we do not want to dilute the importance and significance of this Medal of Honor. Should another award be appropriate to present to members of the military who have died while serving, then we would be pleased to assist with authoring such legislation.

Additionally, in this legislation, we have included a statement in paragraph III which allows for the deliberate review of all the criteria in concert with the circumstances of death to ensure that proper discernment is conducted in the award of this medal.

Thank you for your time and for your continued support to our military. I am happy to answer any questions I can at this time.

Sincerely,

**Carolyn J. Protzmann
Brigadier General, NH National Guard
Deputy Adjutant General**

Voting Sheets

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

EXECUTIVE SESSION on HB 220

BILL TITLE: relative to the New Hampshire medal of honor.

DATE: January 31, 2013

LOB ROOM: 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Rideout

Seconded by Rep. Rollins

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: no

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Dale Spainhower, Clerk



HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

EXECUTIVE SESSION on HB 220

BILL TITLE: relative to the New Hampshire medal of honor.

DATE: 1/31/2013

LOB ROOM: 203

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Rideout

Seconded by Rep. Rollins

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: no

(Vote to place on Consent Calendar must be unanimous.)



Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Dale Spainhower, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 11:57:34 AM
Roll Call Committee Registers
Report

2013 SESSION

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

Bill #: HB 220 Title: relative to the N.H. medal of honor.

PH Date: 1 / 1 Exec Session Date: 01 / 31 / 13

Motion: OTP Amendment #: _____

MEMBER	YEAS	NAYS
Theberge, Robert L, Chairman	✓	
Sweeney, Cynthia P, V Chairman	✓	
Garrity, Patrick F		
Spainhower, Dale S, Clerk		
Palangas, Eric		
Carey, Lorrie J	✓	
Massimilla, Linda	✓	
McCloskey, David	✓	
Menear, H. Robert		
Smith, Timothy J	✓	
Baldasaro, Alfred P,	✓	
Priestley, Anne K.		
Christiansen, Lars T		
Smith, Todd P	✓	
Lundgren, David C	✓	
Notter, Jeanine M	✓	
Rideout, Leon H	✓	
Rollins, Skip	✓	
TOTAL VOTE:	12	

Committee Report

REGULAR CALENDAR

February 5, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on STATE-FEDERAL RELATIONS AND
VETERANS AFFAIRS to which was referred HB220,**

AN ACT relative to the New Hampshire medal of honor.

**Having considered the same, report the same with the
recommendation that the bill OUGHT TO PASS.**

Rep. Leon H Rideout

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS
Bill Number:	HB220
Title:	relative to the New Hampshire medal of honor.
Date:	February 5, 2013
Consent Calendar:	NO
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill amends RSA 110-B:81 to remove the wording allowing the awarding of the New Hampshire medal of honor for training deaths. While the committee feels that any death of a military member is tragic, the committee was unanimous in the decision that the New Hampshire medal of honor should be reserved for those that have given the ultimate sacrifice on a battlefield in the defense of our nation. All testimony during the hearing concurred with the committee's decision.

Vote 12-0.


Rep. Leon H Rideout
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB220, relative to the New Hampshire medal of honor. **OUGHT TO PASS.**

Rep. Leon H Rideout for STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS. This bill amends RSA 110-B:81 to remove the wording allowing the awarding of the New Hampshire medal of honor for training deaths. While the committee feels that any death of a military member is tragic, the committee was unanimous in the decision that the New Hampshire medal of honor should be reserved for those that have given the ultimate sacrifice on a battlefield in the defense of our nation. All testimony during the hearing concurred with the committee's decision. **Vote 12-0.**

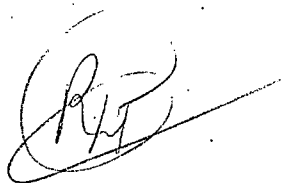
Blurb

HB 220 relative to the New Hampshire medal of honor.

OTP 12-0 RC

This bill amends RSA 110-B:81 to remove the wording allowing the awarding of the New Hampshire medal of honor for training deaths. While the committee feels that any death of a military member is tragic, the committee was unanimous in the decision that the New Hampshire medal of honor should be reserved for those that have given the ultimate sacrifice on a battlefield in the defense of our nation. All testimony during the hearing concurred with the committee's decision.

Rep. Leon Rideout
For the committee

A handwritten signature in black ink, appearing to be "LR", with a long horizontal line extending to the right.

This Amends RSA 110-B:81 To Remove The
Words Allowing The Awarding of The New Hampshire
Medal of Honor for Training Deaths. While The
The Committee feels that any death of a Military
Member is TRagic, The Committee Was Unanimous
In The Decision That The New Hampshire Medal
of Honor Should be reserved for Those that have
Gave The Ultimate Sacrifice on a battlefield in The
Defense of our nation. All Testimony During The
hearing Concurred with The Committees Decision

PH

