WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1939

ENROLLED

HOUSE BILL No. 82

(By Mr. Swann)

PASSED March 8, 1939

In Effect from Passage
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House Bill No. 82
(BY MR. SWANN)

[Passed March 8, 1939; in effect from passage.]

AN ACT to amend article one, chapter fifteen of the code of West Virginia, one thousand nine hundred thirty-one, by adding thereto a new section to be numbered section ninety, providing for decorations to be known as the West Virginia distinguished service medal, and the West Virginia service medal, and the method of awarding such decorations.

Be it enacted by the Legislature of West Virginia:

That a decoration to be known as the "West Virginia Distinguished Service Medal" shall be procured and presented as follows:

Section 1. Who May Be Awarded West Virginia Distinguished Service Medal. The "West Virginia Distinguished Service Medal" may be awarded by the military board of the
state of West Virginia to be created as hereinafter provided:

(a) To former governors, who are now alive, present and future governors of the state of West Virginia as commander-in-chief of the West Virginia national guard;

(b) To such officers and enlisted men in the West Virginia national guard as may have, or may hereafter render conspicuous or distinguished service in the line of duty, or who have displayed, or may hereafter display, conspicuous courage and gallantry while on duty with the West Virginia national guard;

(c) To men serving in the West Virginia national guard who are holders of congressional medals of honor, United States distinguished service medals, United States distinguished service cross, or equivalent awards of the United States navy;

(d) To men of West Virginia who served, or shall hereafter serve in the armed forces of the United States in time of war and who may have rendered or shall hereafter render conspicuous or distinguished service in the line of duty;

(e) To not more than two civilians in any one year who
shall have rendered, in the judgment of the military board of
the state of West Virginia, conspicuous or distinguished serv-

ice to the West Virginia national guard;

(f) The military board of the state of West Virginia shall
be empowered to award the West Virginia distinguished
service medal posthumously to the next of kin of any officer
or enlisted man entitled thereto under the foregoing para-
graphs. No posthumous award shall be made in the case of a
civilian.

(g) In the event any officer or enlisted man of the West
Virginia national guard shall, in the opinion of the military
board of the state of West Virginia, render service or per-
form an act which would entitle him to the award of the
West Virginia distinguished service medal, and the award of
such medal has already been made to him, he shall for such
subsequent award be entitled to wear on the ribbon of the
medal and on the ribbon bar denoting ownership of such
medal a miniature gold mountain laurel blossom (the state
flower).

Sec. 2. Who May Be Awarded West Virginia Service

Medal. A decoration to be known as the "West Virginia Serv-
"Emoleld H. B. No. 82"

4

ice Medal’’ shall be procured and presented by the adjutant
general of West Virginia as follows:
(a) To all officers and enlisted men and all former officers
and enlisted men of the West Virginia national guard who
have five years of honorable service.
(b) For each succeeding five years of honorable service
there shall be awarded a metallic emblem to be worn on the
ribbon bar denoting ownership of such medal, the following:
Ten years’ service the Roman Numeral ‘‘X’’
Fifteen years’ service the Roman Numeral ‘‘XV’’
Twenty years’ service the Roman Numeral ‘‘XX’’
Twenty-five years’ service ‘‘Eagle’’
Thirty years’ service, ‘‘Eagle-V’’
Thirty-five years’ service, ‘‘Eagle-X’’
In computing service there shall be taken into account the
time served in the United States armed forces as a part of
West Virginia’s quota to these forces.

See 3. Regulations for Wearing Medal. The regulations
for wearing the West Virginia distinguished service medal
and the West Virginia service medal, or the appropriate
ribbon designating the ownership of such medals, shall con-
form in all respects to the United States army regulations
as prescribed for medals, decorations and service ribbons for
the national guard.

Sec. 4. *Precedence of Medal.* The West Virginia distin-
guished service medal and the West Virginia service medal
of the West Virginia national guard will be worn after
decorations and campaign medals awarded by the United
States of America and before or ahead of all foreign decora-
tions.

Sec. 5. *Contents of Distinguished Service Medal; How*

to Be Worn. The West Virginia distinguished service medal
shall be of fourteen carat gold and of an appropriate design
to be selected by the military board of the state of West
Virginia. The medal shall be worn suspended by a ring from
watered silk ribbon of suitable length and width, of colors
to be selected by the military board of the state of West
Virginia, and all medals to be serially numbered on the rim.

Sec. 6. *Contents of Service Medal; How to Be Worn.* The
West Virginia service medal shall be of a medal of bronze
of the same size, weight and color of bronze as the victory
medal awarded by the United States of America, and to be
of such design as may be selected by the military board
of the state of West Virginia, and is to be suspended by a
ring from watered silk ribbon of suitable length and width,
of colors to be selected by the military board of the state
of West Virginia.

Sec. 7. Governor to Appoint Board of Award. The Gover-
nor, as commander-in-chief of the West Virginia national
guard, shall appoint a permanent board of awards to be
known as the military board of the state of West Virginia
to consist of three members, at least two of whom shall be
members of the West Virginia national guard on active duty.
The term of office for these members shall be four years or
until their successors are appointed.
The members of this board shall receive no salary or other
compensation for their services, but each member shall be
allowed and paid for actual expenses in traveling and other
personal expense incurred in the performance of their duty.
The board shall select a secretary who shall make and keep
a record of its proceedings, which record is to be lodged in
the adjutant general’s office and is to be preserved therein
as a part of the permanent military records of the state of West Virginia.

Sec. 8. Board to Submit Designs and Prices to Governor.

The military board of the state of West Virginia will secure appropriate designs from designers and bids from manufacturers who are competent in their judgment to design and make the type of medal desired for the state of West Virginia for both the distinguished service medal and the service medal, and will submit the designs and bids thereon, together with its recommendations thereon, to the Governor, who shall make a final selection of the design and the manufacturer of both medals.

Sec. 9. Board to Pass on Awards of Medals. The military board of the state of West Virginia is given power to pass on recommendations for the award of the West Virginia distinguished service medal, and is given express power to originate such recommendations and to pass thereon and to prescribe appropriate ribbons designating ownership of both medals.

Sec. 10. Vote Necessary for Award. The affirmative vote of two members of the board and the approval of such finding
by the Governor is necessary for the award of the West Virginia distinguished service medal, but a recommendation which has failed to receive the approval of a majority vote on two separate occasions shall not again be acted on.

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 17th day of March, 1939.

[Signature]

SECRETARY OF STATE
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the

Takes effect

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within..................................................this the......................................

day of.................................................., 1933.

Governor.