



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 764 (as enrolled)
House Bill 5620 (as enrolled)
Sponsor: Senator Jason E. Allen (S.B. 764)
Representative John Garfield (H.B. 5620)
Senate Committee: Senior Citizens and Veterans Affairs
House Committee: Veterans Affairs and Homeland Security

PUBLIC ACT 96 of 2006
PUBLIC ACT 98 of 2006

Date Completed: 4-27-06

RATIONALE

To commemorate the heritage of the Purple Heart, which is awarded to members of the armed forces who are wounded or killed as a result of enemy activity, and to memorialize the sacrifices of those who are awarded the medal, the Military Order of the Purple Heart (MOPH) is seeking to have a Purple Heart monument erected and dedicated in each state. Reportedly, 43 other states already have a Purple Heart monument. The MOPH evidently has been unsuccessful in obtaining the approval of the Michigan Veterans' Memorial Park Commission to have a monument placed at Veterans Memorial Park in Lansing due to insufficient available space in the park. It was suggested that building a monument in that park to honor Michigan citizens who have been awarded the Purple Heart be required statutorily, and that the boundaries of the Veterans Memorial Park be expanded to provide the space needed for the Purple Heart monument. (Please see **BACKGROUND** for more information on the Purple Heart.)

CONTENT

Senate Bill 764 created the Purple Heart Recognition Act to require the erection of a monument in the Veterans Memorial Park in Lansing to honor Michigan citizens who have received the Purple Heart Medal. **House Bill 5620** amended the Michigan Vietnam Veterans Memorial Act to expand the boundaries of the Veterans Memorial Park.

The bills took effect on April 4, 2006.

Senate Bill 764

The bill specifies that the monument honoring Michigan recipients of the Purple Heart and all expenses associated with its erection must be paid for by the Michigan Chapter of the Military Order of the Purple Heart. The monument must conform to the style and design established by the Military Order of the Purple Heart of the United States of America.

Under the bill, "veterans memorial park" refers to the 2.5-acre parcel of land established and legally described in the Michigan Vietnam Veterans Memorial Act (MCL 35.1055a).

House Bill 5620

Under the Michigan Vietnam Veterans Memorial Act, the Veterans Memorial Park is established in Lansing and the Vietnam Veterans Memorial monument must be located there.

The Act previously described the park as consisting of a 2.5-acre parcel measuring approximately 260.17 feet in an east-west direction and approximately 419.75 feet in a north-south direction. Under the bill, the park consists of a 3.18-acre parcel of land measuring approximately 260.17 feet in an east-west direction and approximately 533 feet in a north-south direction. The bill also changed the legal description of the property in accordance with the new boundaries.

MCL 35.1061-35.1064 (S.B. 764)
35.1055a (H.B. 5620)

BACKGROUND

General George Washington created the Order of the Purple Heart for Military Merit, now commonly called the Purple Heart, during the Revolutionary War. General Washington sought to recognize officers for outstanding valor by rewarding them with additional pay or an advance in rank. When he was ordered to stop because the military could not afford to pay the soldiers, much less the officers, he created the Badge of Military Merit for soldiers who displayed not only "unusual gallantry...but also...extraordinary fidelity and essential service". The medal, he specified, was to be in the form of a heart made from purple cloth or silk, and was to be worn on the left breast. There were three known recipients of the medal during the Revolutionary War.

The Badge of Military Merit lay dormant until 1931, when General Douglas MacArthur revived it for the bicentennial of George Washington's birth. The reissued medal is a gold-plated brass heart, with a bust of Washington in the center and, at the top, the Washington family coat of arms, which contains three red stars and two red horizontal stripes. (This coat of arms is believed to be one inspiration for the American flag.)

In 1932, the War Department announced the award and the revised eligibility criteria for receiving a Purple Heart: During battle with an enemy, recipients must have sustained a wound that necessitated medical treatment. (Therefore, not every wound incurred because of the conditions of war, such as trenchfoot or frostbite, would make a soldier eligible for a Purple Heart.) At the time, the award was limited to the Army. In 1942, President Roosevelt extended the award to the Navy, the Marine Corps, and the Coast Guard beginning December 6, 1941. Later, President Truman retroactively extended the award to cover World War I soldiers. In 1962, President Kennedy extended eligibility to "any civilian national of the United States who, while serving under competent authority in any capacity with an armed force...has been, or may hereafter be, wounded". President Reagan amended President Kennedy's order in 1984 to include those wounded or killed as a result of an "international terrorist attack". In 1997, under President Clinton, the award

again was limited to members of the armed forces.

Shortly after the award was reinstated in 1931, a group of combat wounded veterans in Ansonia, Connecticut, formed the first chapter of a civilian organization for Purple Heart recipients. The organization grew rapidly during and after World War II, and is now known as the Military Order of the Purple Heart.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

The Purple Heart is the oldest military decoration in the world in present use, and the first award made available to a common soldier. Recipients of the award need not be recommended for it; rather, a soldier is entitled to a Purple Heart upon meeting specific criteria. It is a fitting tribute to Michigan soldiers wounded or killed in battle to honor them with a monument in the Veterans Memorial Park, which is located two blocks directly west of the State Capitol building, where a pedestrian pathway meets the Hall of Justice.

The Military Order of the Purple Heart is seeking to have a similar monument honoring Purple Heart Medal recipients erected in each state. A representative of the MOPH testified before the Senate Committee on Senior Citizens and Veterans Affairs that there are approximately 60,000 Purple Heart recipients living in Michigan, but, while 43 other states apparently have Purple Heart monuments, Michigan still does not. Michigan should follow the example of other states and honor its Purple Heart Medal recipients with a monument in the Veterans Memorial Park.

Supporting Argument

The Michigan Veterans' Memorial Park Commission, a Type II agency within the Department of Management and Budget (DMB), was created by Executive Reorganization Order No. 2001-4 and is charged with assisting the DMB in the development, management, and maintenance of the Michigan Veterans Memorial Park. Reportedly, the Commission has rejected requests to place a Purple

Heart monument in the park because of a lack of sufficient space. By increasing the size of the Veterans Memorial Park, House Bill 5620 rectifies this situation and provides for space in the park for the erection of the Purple Heart monument.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills will have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.