

[First Reprint]

**ASSEMBLY, No. 3695**

**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

INTRODUCED MARCH 24, 2022

**Sponsored by:**

**Assemblyman WILLIAM F. MOEN, JR.**

**District 5 (Camden and Gloucester)**

**Assemblywoman LINDA S. CARTER**

**District 22 (Middlesex, Somerset and Union)**

**Assemblywoman ANNETTE CHAPARRO**

**District 33 (Hudson)**

**Co-Sponsored by:**

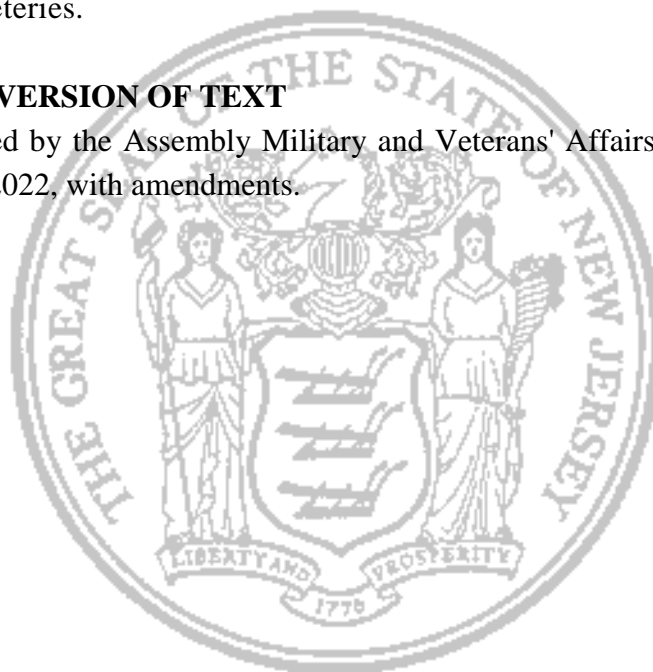
**Assemblyman Sauickie and Assemblywoman Sawyer**

**SYNOPSIS**

Requires DMVA notify certain veteran organizations and county officers and municipal registers of names of persons buried or cremated in State veteran cemeteries.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Military and Veterans' Affairs Committee on October 17, 2022, with amendments.



**(Sponsorship Updated As Of: 12/7/2023)**

1 AN ACT requiring the Department of Military and Veterans' Affairs  
2 to provide certain burial and cremation information to certain  
3 veteran organizations and county officers <sup>1</sup>and municipal  
4 registers<sup>1</sup>, and amending N.J.S.38A:3-6.

5  
6 **BE IT ENACTED** by the Senate and General Assembly of the State  
7 of New Jersey:

8  
9 1. N.J.S.38A:3-6 is amended to read as follows:  
10 38A:3-6. Under the direction of the Governor, the Adjutant  
11 General shall:

12 (a) Exercise control over the affairs of the Department of  
13 Military and Veterans' Affairs and in connection therewith make  
14 and issue such regulations governing the work of the Department of  
15 Military and Veterans' Affairs and the conduct of its employees as  
16 may, in his judgment, be necessary or desirable.

17 (b) Be the request officer of the Department of Military and  
18 Veterans' Affairs within the meaning of such term as defined in  
19 section 1 of P.L.1944, c.112 (C.52:27B-1).

20 (c) (Deleted by amendment, P.L.1988, c.138.)

21 (d) Command the organized militia of the State, with  
22 responsibility for recruiting, mobilization, administration, training,  
23 discipline, equipping, supply and general efficiency thereof. He  
24 may issue such regulations and delegate such command functions as  
25 he shall deem necessary. The regulations so issued shall, insofar as  
26 possible, conform to the federal laws and regulations concerning the  
27 same.

28 (e) Maintain the archives and be the custodian of the records and  
29 papers required, by laws or regulations, to be filed with the  
30 Department of Military and Veterans' Affairs.

31 (f) Supervise, administer and coordinate those activities of the  
32 selective service system for which the Governor is responsible.

33 (g) Acquire by gift, grant, purchase, exchange, eminent domain,  
34 or in any other lawful manner, in the name of and for the use of the  
35 State of New Jersey, all those parcels of land as shall be necessary  
36 for armories and other militia facilities, and supervise the design,  
37 construction, alteration, maintenance and repair of said property.

38 (h) Establish and maintain such headquarters as may be required  
39 for the militia.

40 (i) Exercise the powers vested in him and perform such other  
41 duties and functions as required of him by the Governor and by  
42 federal and State laws and regulations.

43 (j) Exercise all of the functions, powers and duties heretofore  
44 vested in the Director of the Division on Veterans' Programs and  
45 Special Services.

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup>Assembly AMV committee amendments adopted October 17, 2022.**

1 (k) Appoint and remove officers and other personnel employed  
2 within the department, subject to the provisions of N.J.S.38A:3-8  
3 and Title 11A of the New Jersey Statutes and other applicable  
4 statutes, except as herein otherwise specifically provided.

5 (l) Have authority to organize and maintain an administrative  
6 division and to assign to employment therein secretarial, clerical  
7 and other assistants in the department or the Adjutant General's  
8 Office for the purpose of providing centralized support to all  
9 segments of the department, including budgeting, personnel  
10 administration and oversight of equal opportunity programs.

11 (m) Perform, exercise and discharge the functions, powers and  
12 duties of the department through such divisions as may be  
13 established by this act or otherwise by law.

14 (n) Organize the work of the department in divisions not  
15 inconsistent with the provisions of this act and in bureaus and other  
16 organizational units as the Adjutant General may determine to be  
17 necessary for efficient and effective operation.

18 (o) Adopt, issue and promulgate, in the name of the department,  
19 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
20 (C.52:14B-1 et seq.), such rules and regulations as may be  
21 authorized by law.

22 (p) Institute, or cause to be instituted, legal proceedings or  
23 processes as necessary to properly enforce and give effect to any of  
24 the Adjutant General's powers or duties.

25 (q) Make an annual report to the Governor and to the Legislature  
26 of the department's operations, and render other reports as the  
27 Governor shall from time to time request or as may be required by  
28 law.

29 (r) Coordinate the activities of the department, and the several  
30 divisions and other agencies therein, in a manner designed to  
31 eliminate overlapping and duplicative functions.

32 (s) Integrate within the department, so far as practicable, all staff  
33 services of the department and of several divisions and other  
34 agencies therein.

35 (t) Request access to all relevant files and records of other State  
36 agencies, which may be made available to the Adjutant General by  
37 the head of a State agency, and request, subject to the permission of  
38 the head of the State agency, any officer or employee therein to  
39 provide information as necessary to assist in the performance of the  
40 functions of the department.

41 (u) Supervise and operate the New Jersey Veterans' Memorial  
42 Home-Menlo Park, the New Jersey Veterans' Memorial Home-  
43 Vineland, the New Jersey Veterans' Memorial Home-Paramus and  
44 the New Jersey Veterans' Memorial Cemetery-Arneytown.

45 (v) Supervise and operate the liaison office and the field offices  
46 which serve the federal Veterans' Affairs Medical Centers.

47 (w) Make application for federal grants and programs, other than  
48 education grants or funds.

- 1 (x) Administer the federally-funded training and rehabilitation  
2 programs, except for the administration of federally-funded  
3 education and training programs set forth in 38 U.S.C. s.36 et seq.
- 4 (y) Provide current information to the general public on State  
5 and federal veterans' programs and benefits; create a comprehensive  
6 public webpage for women veterans that includes, but is not limited  
7 to, the following information: veterans' legal rights, benefits,  
8 medical and insurance issues, education, the transition from active  
9 service to civilian life, and other resources available to veterans.
- 10 (z) Develop and administer the New Jersey Homeless Veterans  
11 Grant Program established pursuant to section 3 of P.L.2013, c.239  
12 (C.38A:3-6.2b).
- 13 (aa) Encourage and facilitate the registration of each service  
14 member residing in New Jersey with the United States Department  
15 of Veterans Affairs, or its successor agency. Registration shall take  
16 place, as appropriate, when the service member returns from  
17 deployment on federal active duty or is discharged or as soon as  
18 possible thereafter. The term "service member" shall mean  
19 members of the New Jersey National Guard and members of the  
20 United States Armed Forces, or a Reserve component thereof, when  
21 the information on each member is made available to the  
22 department.
- 23 (bb) Develop and coordinate a volunteer-based program  
24 comprised of former servicemembers to assist and mentor veterans  
25 who become involved with the criminal justice system, while  
26 criminal proceedings are pending and afterward, in accessing  
27 assistance to resolve the underlying problems that led or contributed  
28 to the veteran's involvement with the criminal justice system  
29 including, but not limited to, offering support and guidance,  
30 securing housing, employment linkages, job training, education,  
31 transportation, disability compensation claims, discharge status,  
32 health care and other linkages available at the local, State and  
33 federal level that can ease the challenge of reentry into civilian life.  
34 In addition, the Adjutant General shall develop a registry of  
35 volunteer mentors and make the registry available pursuant to  
36 P.L.2017, c.42 (C.2C:43-23 et al.).
- 37 (cc) Prepare and disseminate a directory of Veterans Diversion  
38 Resource Program entities currently available within New Jersey  
39 pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).
- 40 (dd) Create a comprehensive public webpage for Gold Star  
41 family members that includes, but is not limited to, the following  
42 information: State benefits; State and county liaisons; a list of  
43 service members from New Jersey killed in action; links to other  
44 Gold Star family organizations; and such other information and  
45 resources as the Adjutant General deems necessary and beneficial to  
46 a Gold Star family member. A "Gold Star family member" means  
47 the spouse, domestic partner, partner in a civil union, parent,

1 brother, sister, child, legal guardian, or other legal custodian,  
2 whether of the whole or half blood, or by adoption.

3 (ee) Identify each New Jersey resident who enrolls in the United  
4 States Military Academy, United States Naval Academy, United  
5 States Coast Guard Academy, United States Merchant Marine  
6 Academy, or United States Air Force Academy, and issue a New  
7 Jersey State flag to that individual.

8 (ff) Provide a monthly report to veteran organizations and the  
9 appropriate county officer<sup>1</sup> and municipal register<sup>1</sup> of the names of  
10 all persons buried or cremated in the State veteran cemeteries the  
11 previous month. <sup>1</sup>The monthly reports and waivers may be  
12 transmitted and received electronically.<sup>1</sup> As used in this section,  
13 "veteran organization" means a veteran organization that qualifies  
14 as a section 501(c)(3) or 501(c)(19) tax exempt organization under  
15 the Internal Revenue Code, or a federally chartered Veterans'  
16 Service Organization. No burial or cremation information shall be  
17 released to a veteran organization or county officer until a  
18 representative of the person buried or cremated has signed a waiver  
19 permitting release of the information. <sup>1</sup>The monthly reports and  
20 waivers shall not be considered a government record and shall be  
21 not be accessible under the law commonly referred to as the open  
22 public records act, P.L.1963, c.73 (C.47:1A-1 et seq.).<sup>1</sup>

23 (cf: P.L.2019, c.283, s.1)

24

25 2. This act shall take effect immediately.