

ASSEMBLY, No. 909

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

Assemblywoman N.Munoz and Assemblyman DePhillips

SYNOPSIS

Provides certain veteran benefits to veterans of the global war on terror conflicts and those of certain military engagements served during certain periods.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** providing certain benefits to veterans of certain conflicts
2 and amending various parts of the statutory law.

3

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

6

7 1. N.J.S.11A:5-1 is amended to read as follows:

8 11A:5-1. As used in this chapter:

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by
11 the United States Veterans Administration or who receives or is
12 entitled to receive equivalent compensation for a service-connected
13 disability which arises out of military or naval service as set forth in
14 this chapter and who has submitted sufficient evidence of the record
15 of disability incurred in the line of duty to the Adjutant General of
16 the Department of Military and Veterans' Affairs and received a
17 determination of status no later than eight days prior to the issuance
18 of an employment list, for which that individual received a passing
19 score on an examination;

20 b. "Veteran" means any honorably discharged soldier, sailor,
21 marine or nurse who served in any army or navy of the allies of the
22 United States in World War I, between July 14, 1914 and November
23 11, 1918, or who served in any army or navy of the allies of the
24 United States in World War II, between September 1, 1939 and
25 September 2, 1945 and who was inducted into that service through
26 voluntary enlistment, and was a citizen of the United States at the
27 time of the enlistment, and who did not renounce or lose his or her
28 United States citizenship; or any soldier, sailor, marine, airman,
29 nurse or army field clerk, who has served in the active military or
30 naval service of the United States and has been discharged or
31 released under other than dishonorable conditions from that service
32 **[in]** rendering during any of the following wars or conflicts and
33 who has presented to the Adjutant General of the Department of
34 Military and Veterans' Affairs sufficient evidence of the record of
35 service and received a determination of status no later than eight
36 days prior to the issuance of an employment list, for which that
37 individual received a passing score on an examination:

38 (1) World War I, between April 6, 1917 and November 11,
39 1918;

40 (2) World War II, on or after September 16, 1940, who shall
41 have served at least 90 days beginning on or before December 31,
42 1946 in such active service, exclusive of any period of assignment
43 for a course of education or training under the Army Specialized
44 Training Program or the Navy College Training Program, which
45 course was a continuation of a civilian course and was pursued to

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.

1 completion, or as a cadet or midshipman at one of the service
2 academies; except that any person receiving an actual service-
3 incurred injury or disability shall be classed a veteran whether or
4 not that person has completed the 90-day service;

5 (3) Korean conflict, on or after June 23, 1950, who shall have
6 served at least 90 days beginning on or before January 31, 1955, in
7 active service, exclusive of any period of assignment for a course of
8 education or training under the Army Specialized Training Program
9 or the Navy College Training Program, which course was a
10 continuation of a civilian course and was pursued to completion, or
11 as a cadet or midshipman at one of the service academies; except
12 that any person receiving an actual service-incurred injury or
13 disability shall be classed as a veteran, whether or not that person
14 has completed the 90-day service;

15 (4) Lebanon crisis, on or after July 1, 1958, who has served in
16 Lebanon or on board any ship actively engaged in patrolling the
17 territorial waters of that nation for a period, continuous or in the
18 aggregate, of at least 14 days commencing on or before November
19 1, 1958 or the date of termination of that conflict, as proclaimed by
20 the President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall
23 be classed as a veteran whether or not that person has completed the
24 14 days' service as herein provided;

25 (5) Vietnam conflict, on or after December 31, 1960, who shall
26 have served at least 90 days beginning on or before May 7, 1975, in
27 active service, exclusive of any period of assignment for a course of
28 education or training under the Army Specialized Training Program
29 or the Navy College Training Program, which course was a
30 continuation of a civilian course and was pursued to completion, or
31 as a cadet or midshipman at one of the service academies, and
32 exclusive of any service performed pursuant to the provisions of
33 section 511(d) of Title 10, United States Code, or exclusive of any
34 service performed pursuant to enlistment in the National Guard or
35 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
36 Corps Reserve, or Coast Guard Reserve; except that any person
37 receiving an actual service-incurred injury or disability shall be
38 classed as a veteran, whether or not that person has completed the
39 90-day service as provided;

40 (6) Lebanon peacekeeping mission, on or after September 26,
41 1982, who has served in Lebanon or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a
43 period, continuous or in the aggregate, of at least 14 days
44 commencing on or before December 1, 1987 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 (7) Grenada peacekeeping mission, on or after October 23,
4 1983, who has served in Grenada or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before November 21, 1983 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (8) Panama peacekeeping mission, on or after December 20,
15 1989 or the date of inception of that mission, as proclaimed by the
16 President of the United States or Congress, whichever date of
17 inception is earliest, who has served in Panama or on board any ship
18 actively engaged in patrolling the territorial waters of that nation for
19 a period, continuous or in the aggregate, of at least 14 days
20 commencing on or before January 31, 1990 or the date of
21 termination of that mission, as proclaimed by the President of the
22 United States or Congress, whichever date of termination is the
23 latest, in such active service; provided, that any person receiving an
24 actual service-incurred injury or disability shall be classed as a
25 veteran whether or not that person has completed the 14 days'
26 service as herein provided;

27 (9) Operation "Desert Shield/Desert Storm" mission in the
28 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
29 or the date of inception of that operation, as proclaimed by the
30 President of the United States or Congress, whichever date of
31 inception is earliest, who has served in the Arabian peninsula or on
32 board any ship actively engaged in patrolling the Persian Gulf for a
33 period, continuous or in the aggregate, of at least 14 days
34 commencing on or before the date of termination of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of termination is the latest, in such active service;
37 provided, that any person receiving an actual service-incurred injury
38 or disability shall be classed as a veteran whether or not that person
39 has completed the 14 days' service as herein provided;

40 (10) Operation Northern Watch and Operation Southern Watch,
41 on or after August 27, 1992, or the date of inception of that
42 operation, as proclaimed by the President of the United States,
43 Congress or United States Secretary of Defense, whichever date of
44 inception is earliest, who served in the theater of operation,
45 including in the Arabian peninsula and the Persian Gulf, and in
46 direct support of that operation for a period, continuously or in the
47 aggregate, of at least 14 days in such active service commencing on
48 or before the date of termination of that operation, as proclaimed by

1 the President of the United States, Congress or United States
2 Secretary of Defense, whichever date of termination is the latest;
3 provided, that any person receiving an actual service-incurred injury
4 or disability while engaged in such service shall be classed as a
5 veteran whether or not that person has completed the 14 days'
6 service as herein provided;

7 (11) Operation "Restore Hope" in Somalia, on or after December
8 5, 1992, or the date of inception of that operation as proclaimed by
9 the President of the United States or the Congress, whichever date
10 is earliest, who has served in Somalia or on board any ship actively
11 engaged in patrolling the territorial waters of that nation for a
12 period, continuously or in the aggregate, of at least 14 days in such
13 active service commencing on or before March 31, 1994; provided
14 that any person receiving an actual service-incurred injury or
15 disability shall be classed as a veteran whether or not that person
16 has completed the 14-day service as herein provided;

17 (12) Operations "Joint Endeavor" and "Joint Guard" in the
18 Republic of Bosnia and Herzegovina, on or after November 20,
19 1995, who served in such active service in direct support of one or
20 both of the operations for at least 14 days, continuously or in the
21 aggregate, commencing on or before June 20, 1998, and (1) was
22 deployed in that nation or in another area in the region, or (2) was
23 on board a United States naval vessel operating in the Adriatic Sea,
24 or (3) operated in airspace above the Republic of Bosnia and
25 Herzegovina; provided that any person receiving an actual service-
26 incurred injury or disability shall be classed as a veteran whether or
27 not that person completed the 14-day service requirement;

28 (13) Operation "Uphold Democracy" in Haiti, on or after
29 September 19, 1994, who served in Haiti or on board any ship
30 actively engaged in patrolling the territorial waters of that nation for
31 a period, continuously or in the aggregate, of at least 14 days in
32 such active service commencing on or before March 31, 1995, and
33 who received an Armed Forces Expeditionary Medal for such
34 service; provided, that any person receiving an actual service-
35 incurred injury or disability shall be classed as a veteran whether or
36 not that person has completed the 14 days' service as herein
37 provided or received an Armed Forces Expeditionary Medal;

38 (14) Operation "Enduring Freedom", on or after September 11,
39 2001, who served in a theater of operation and in direct support of
40 that operation for a period, continuously or in the aggregate, of at
41 least 14 days in such active service commencing on or before the
42 date the President of the United States or the United States
43 Secretary of Defense designates as the termination date of that
44 operation; provided, that any person receiving an actual service-
45 incurred injury or disability while engaged in such service shall be
46 classed as a veteran whether or not that person has completed the 14
47 days' service as herein provided; **【and】**

1 (15) Operation "Iraqi Freedom", on or after the date the President
2 of the United States or the United States Secretary of Defense
3 designates as the inception date of that operation, who served in
4 Iraq or in another area in the region in direct support of that
5 operation for a period, continuously or in the aggregate, of at least
6 14 days in such active service commencing on or before the date the
7 President of the United States or the United States Secretary of
8 Defense designates as the termination date of that operation;
9 provided, that any person receiving an actual service-incurred injury
10 or disability while engaged in such service shall be classed as a
11 veteran whether or not that person has completed the 14 days'
12 service as herein provided; and

13 (16) Operation, mission or conflict during the global war on
14 terror, on or after the date the President of the United States or the
15 United States Secretary of Defense designates as the inception date
16 of that operation, mission or conflict for a period, continuously or in
17 the aggregate, of at least 14 days in such active service,
18 commencing on or before the date the President of the United
19 States or the United States Secretary of Defense shall designate as
20 the termination date of that operation, mission or conflict, who
21 served in the theater or in support of that operation, mission, or
22 conflict, in the United States or abroad; provided, that any person
23 receiving an actual service-incurred injury or disability while
24 engaged in such service shall be classed as a veteran whether or not
25 that person has completed the 14 days' service as herein provided.

26 c. "Veteran" also means any honorably discharged member
27 who has served at least 90 days commencing between the dates of
28 the wars or conflicts in paragraphs 4 and 6-15 inclusive of
29 subsection b. of this section, regardless of location, exclusive of any
30 period (a) of assignment for a course of education or training which
31 course was a continuation of a civilian course and was pursued to
32 completion, or (b) as a cadet or midshipman at one of the service
33 academies, or (c) of service performed pursuant to an enlistment in
34 the Army National Guard or Air National Guard or in the Army
35 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,
36 or Coast Guard Reserve, unless mobilized for active duty at the call
37 of the President of the United States, provided, that any person
38 receiving an actual, service-incurred injury or disability shall be
39 classed as a veteran, whether or not he has completed the 90 days'
40 service as herein provided;

41 **【c.】** d. "War service" means service by a veteran in any war or
42 conflict described in this chapter during the periods specified.
43 (cf: P.L.2007, c.115, s.1)
44

45 2. N.J.S.18A:66-2 is amended to read as follows:

46 18A:66-2. As used in this article:

47 a. "Accumulated deductions" means the sum of all the
48 amounts, deducted from the compensation of a member or

- 1 contributed by or in behalf of the member, including interest
2 credited to January 1, 1956, standing to the credit of the member's
3 individual account in the annuity savings fund.
- 4 b. "Annuity" means payments for life derived from the
5 accumulated deductions of a member as provided in this article.
- 6 c. "Beneficiary" means any person receiving a retirement
7 allowance or other benefit as provided in this article.
- 8 d. (1) "Compensation" means the contractual salary, for
9 services as a teacher as defined in this article, which is in
10 accordance with established salary policies of the member's
11 employer for all employees in the same position but shall not
12 include individual salary adjustments which are granted primarily in
13 anticipation of the member's retirement or additional remuneration
14 for performing temporary or extracurricular duties beyond the
15 regular school day or the regular school year.
- 16 (2) In the case of a person who becomes a member of the
17 retirement system on or after July 1, 2007, "compensation" means
18 the amount of the contractual salary equivalent to the annual
19 maximum wage contribution base for Social Security, pursuant to
20 the Federal Insurance Contributions Act, for services as a teacher as
21 defined in this article, which is in accordance with established
22 salary policies of the member's employer for all employees in the
23 same position but shall not include individual salary adjustments
24 which are granted primarily in anticipation of the member's
25 retirement or additional remuneration for performing temporary or
26 extracurricular duties beyond the regular school day or the regular
27 school year. This paragraph shall not apply to a person who at the
28 time of enrollment in the retirement system on or after July 1, 2007
29 transfers service credit from another State-administered retirement
30 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
31 member of the retirement system who has been granted a retirement
32 allowance and is reenrolled in the retirement system on or after July
33 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
34 again in a position that makes the person eligible to be a member of
35 the retirement system.
- 36 e. "Employer" means the State, the board of education or any
37 educational institution or agency of or within the State by which a
38 teacher is paid.
- 39 f. "Final compensation" means the average annual
40 compensation for which contributions are made for the three years
41 of creditable service in New Jersey immediately preceding the
42 member's retirement or death, or it shall mean the average annual
43 compensation for New Jersey service for which contributions are
44 made during any three fiscal years of his or her membership
45 providing the largest possible benefit to the member or the
46 member's beneficiary.
- 47 g. "Fiscal year" means any year commencing with July 1, and
48 ending with June 30, next following.

- 1 h. "Pension" means payments for life derived from
2 appropriations made by the State or employers to the Teachers'
3 Pension and Annuity Fund.
- 4 i. "Annuity reserve" means the present value of all payments
5 to be made on account of any annuity or benefit in lieu of an
6 annuity, granted under the provisions of this article, computed on
7 the basis of such mortality tables recommended by the actuary as
8 the board of trustees adopts, with regular interest.
- 9 j. "Pension reserve" means the present value of all payments to
10 be made on account of any pension or benefit in lieu of a pension
11 granted to a member from the Teachers' Pension and Annuity Fund,
12 computed on the basis of such mortality tables recommended by the
13 actuary as the board of trustees adopts, with regular interest.
- 14 k. "Present-entrant" means any member of the Teachers'
15 Pension and Annuity Fund who had established status as a "present-
16 entrant member" of said fund prior to January 1, 1956.
- 17 l. "Rate of contribution initially certified" means the rate of
18 contribution certified by the retirement system in accordance with
19 N.J.S.18A:66-29.
- 20 m. "Regular interest" shall mean interest as determined by the
21 State Treasurer, after consultation with the Directors of the
22 Divisions of Investment and Pensions, the board of trustees and the
23 actuary. It shall bear a reasonable relationship to the percentage rate
24 of earnings on investments based on the market value of assets but
25 shall not exceed the assumed percentage rate of increase applied to
26 salaries plus 3%, provided however that the board of trustees shall
27 not set the average percentage rate of increase applied to salaries
28 below 6%.
- 29 n. "Retirement allowance" means the pension plus the annuity.
- 30 o. "School service" means any service as a "teacher" as defined
31 in this section.
- 32 p. "Teacher" means any regular teacher, special teacher,
33 helping teacher, teacher clerk, principal, vice-principal, supervisor,
34 supervising principal, director, superintendent, city superintendent,
35 assistant city superintendent, county superintendent, State
36 Commissioner or Assistant Commissioner of Education, members
37 of the State Department of Education who are certificated,
38 unclassified professional staff and other members of the teaching or
39 professional staff of any class, public school, high school, normal
40 school, model school, training school, vocational school, truant
41 reformatory school, or parental school, and of any and all classes or
42 schools within the State conducted under the order and
43 superintendence, and wholly or partly at the expense of the State
44 Board of Education, of a duly elected or appointed board of
45 education, board of school directors, or board of trustees of the
46 State or of any school district or normal school district thereof, and
47 any persons under contract or engagement to perform one or more
48 of these functions. It shall also mean any person who serves, while

1 on an approved leave of absence from regular duties as a teacher, as
2 an officer of a local, county or State labor organization which
3 represents, or is affiliated with an organization which represents,
4 teachers as defined in this subsection. No person shall be deemed a
5 teacher within the meaning of this article who is a substitute
6 teacher. In all cases of doubt the board of trustees shall determine
7 whether any person is a teacher as defined in this article.

8 q. "Teachers' Pension and Annuity Fund," hereinafter referred
9 to as the "retirement system" or "system," is the corporate name of
10 the arrangement for the payment of retirement allowances and other
11 benefits under the provisions of this article, including the several
12 funds placed under said system. By that name all its business shall
13 be transacted, its funds invested, warrants for money drawn, and
14 payments made and all of its cash and securities and other property
15 held.

16 r. "Veteran" means any honorably discharged officer, soldier,
17 sailor, airman, marine or nurse who served in any Army, Air Force
18 or Navy of the Allies of the United States in World War I between
19 July 14, 1914, and November 11, 1918, or who served in any Army,
20 Air Force or Navy of the Allies of the United States in World War
21 II, between September 1, 1939, and September 2, 1945, and who
22 was inducted into such service through voluntary enlistment, and
23 was a citizen of the United States at the time of such enlistment, and
24 who did not, during or by reason of such service, renounce or lose
25 United States citizenship, and any officer, soldier, sailor, marine,
26 airman, nurse or army field clerk who has served in the active
27 military or naval service of the United States and has or shall be
28 discharged or released **【therefrom】** under conditions other than
29 dishonorable, **【in】** from that service rendered during any of the
30 following wars, uprisings, insurrections, expeditions or
31 emergencies, and who has presented to the retirement system
32 evidence of such record of service in form and content satisfactory
33 to said retirement system:

34 (1) The Indian wars and uprisings during any of the periods
35 recognized by the War Department of the United States as periods
36 of active hostility;

37 (2) The Spanish-American War between April 20, 1898, and
38 April 11, 1899;

39 (3) The Philippine insurrections and expeditions during the
40 periods recognized by the War Department of the United States as
41 of active hostility from February 4, 1899, to the end of 1913;

42 (4) The Peking relief expedition between June 20, 1900, and
43 May 27, 1902;

44 (5) The army of Cuban occupation between July 18, 1898, and
45 May 20, 1902;

46 (6) The army of Cuban pacification between October 6, 1906,
47 and April 1, 1909;

1 (7) The Mexican punitive expedition between March 14, 1916,
2 and February 7, 1917;

3 (8) The Mexican border patrol, having actually participated in
4 engagements against Mexicans between April 12, 1911, and June
5 16, 1919;

6 (9) World War I, between April 6, 1917, and November 11,
7 1918;

8 (10) World War II, between September 16, 1940, and December
9 31, 1946, who shall have served at least 90 days in such active
10 service, exclusive of any period of assignment (1) for a course of
11 education or training under the Army Specialized Training Program
12 or the Navy College Training Program, which course was a
13 continuation of a civilian course and was pursued to completion, or
14 (2) as a cadet or midshipman at one of the service academies, any
15 part of which 90 days was served between said dates; provided that
16 any person receiving an actual service-incurred injury or disability
17 shall be classed as a veteran, whether or not that person has
18 completed the 90-day service as herein provided;

19 (11) Korean conflict on or after June 23, 1950, and on or prior to
20 January 31, 1955, who shall have served at least 90 days in such
21 active service, exclusive of any period of assignment (1) for a
22 course of education or training under the Army Specialized
23 Training Program or the Navy College Training Program, which
24 course was a continuation of a civilian course and was pursued to
25 completion, or (2) as a cadet or midshipman at one of the service
26 academies, any part of which 90 days was served between said
27 dates; provided that any person receiving an actual service-incurred
28 injury or disability shall be classed as a veteran, whether or not that
29 person has completed the 90-day service as herein provided; and
30 provided further that any member classed as a veteran pursuant to
31 this subsection prior to August 1, 1966, shall continue to be classed
32 as a veteran, whether or not that person completed the 90-day
33 service between said dates as herein provided;

34 (12) Lebanon crisis, on or after July 1, 1958, who has served in
35 Lebanon or on board any ship actively engaged in patrolling the
36 territorial waters of that nation for a period, continuous or in the
37 aggregate, of at least 14 days commencing on or before November
38 1, 1958 or the date of termination of that conflict, as proclaimed by
39 the President of the United States or Congress, whichever date of
40 termination is the latest, in such active service; provided, that any
41 person receiving an actual service-incurred injury or disability shall
42 be classed as a veteran whether or not that person has completed the
43 14 days' service as herein provided;

44 (13) Vietnam conflict, on or after December 31, 1960, and on or
45 prior to May 7, 1975, who shall have served at least 90 days in such
46 active service, exclusive of any period of assignment (1) for a
47 course of education or training under the Army Specialized
48 Training Program or the Navy College Training Program, which

1 course was a continuation of a civilian course and was pursued to
2 completion, or (2) as a cadet or midshipman at one of the service
3 academies, any part of which 90 days was served between said
4 dates; and exclusive of any service performed pursuant to the
5 provisions of section 511(d) of Title 10, United States Code,
6 pursuant to an enlistment in the Army National Guard or as a
7 reserve for service in the Army Reserve, Naval Reserve, Air Force
8 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
9 that any person receiving an actual service-incurred injury or
10 disability shall be classed as a veteran, whether or not that person
11 has completed the 90-day service as herein provided;

12 (14) Lebanon peacekeeping mission, on or after September 26,
13 1982, who has served in Lebanon or on board any ship actively
14 engaged in patrolling the territorial waters of that nation for a
15 period, continuous or in the aggregate, of at least 14 days
16 commencing on or before December 1, 1987 or the date of
17 termination of that mission, as proclaimed by the President of the
18 United States or Congress, whichever date of termination is the
19 latest, in such active service; provided, that any person receiving an
20 actual service-incurred injury or disability shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided;

23 (15) Grenada peacekeeping mission, on or after October 23,
24 1983, who has served in Grenada or on board any ship actively
25 engaged in patrolling the territorial waters of that nation for a
26 period, continuous or in the aggregate, of at least 14 days
27 commencing on or before November 21, 1983 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (16) Panama peacekeeping mission, on or after December 20,
35 1989 or the date of inception of that mission, as proclaimed by the
36 President of the United States or Congress, whichever date of
37 inception is earliest, who has served in Panama or on board any ship
38 actively engaged in patrolling the territorial waters of that nation for
39 a period, continuous or in the aggregate, of at least 14 days
40 commencing on or before January 31, 1990 or the date of
41 termination of that mission, as proclaimed by the President of the
42 United States or Congress, whichever date of termination is the
43 latest, in such active service; provided, that any person receiving an
44 actual service-incurred injury or disability shall be classed as a
45 veteran whether or not that person has completed the 14 days'
46 service as herein provided;

47 (17) Operation "Desert Shield/Desert Storm" mission in the
48 Arabian peninsula and the Persian Gulf, on or after August 2, 1990

1 or the date of inception of that operation, as proclaimed by the
2 President of the United States or Congress, whichever date of
3 inception is earliest, who has served in the Arabian peninsula or on
4 board any ship actively engaged in patrolling the Persian Gulf for a
5 period, continuous or in the aggregate, of at least 14 days
6 commencing on or before the date of termination of that mission, as
7 proclaimed by the President of the United States or Congress,
8 whichever date of termination is the latest, in such active service;
9 provided, that any person receiving an actual service-incurred injury
10 or disability shall be classed as a veteran whether or not that person
11 has completed the 14 days' service as herein provided;

12 (18) Operation Northern Watch and Operation Southern Watch,
13 on or after August 27, 1992, or the date of inception of that
14 operation, as proclaimed by the President of the United States,
15 Congress or United States Secretary of Defense, whichever date of
16 inception is earliest, who served in the theater of operation,
17 including in the Arabian peninsula and the Persian Gulf, and in
18 direct support of that operation for a period, continuously or in the
19 aggregate, of at least 14 days in such active service, commencing on
20 or before the date of termination of the operation, as proclaimed by
21 the President of the United States, Congress or United States
22 Secretary of Defense, whichever date of termination is latest;
23 provided, that any person receiving an actual service-incurred injury
24 or disability while engaged in such service shall be classed as a
25 veteran whether or not that person has completed the 14 days'
26 service as herein provided;

27 (19) Operation "Restore Hope" in Somalia, on or after December
28 5, 1992, or the date of inception of that operation as proclaimed by
29 the President of the United States or Congress, whichever date is
30 earliest, who has served in Somalia or on board any ship actively
31 engaged in patrolling the territorial waters of that nation for a
32 period, continuously or in the aggregate, of at least 14 days in such
33 active service commencing on or before March 31, 1994; provided
34 that any person receiving an actual service-incurred injury or
35 disability shall be classed as a veteran whether or not that person
36 has completed the 14-day service as herein provided;

37 (20) Operations "Joint Endeavor" and "Joint Guard" in the
38 Republic of Bosnia and Herzegovina, on or after November 20,
39 1995, who served in such active service in direct support of one or
40 both of the operations for at least 14 days, continuously or in the
41 aggregate, commencing on or before June 20, 1998, and (1) was
42 deployed in that nation or in another area in the region, or (2) was
43 on board a United States naval vessel operating in the Adriatic Sea,
44 or (3) operated in airspace above the Republic of Bosnia and
45 Herzegovina; provided that any person receiving an actual service-
46 incurred injury or disability shall be classed as a veteran whether or
47 not that person completed the 14-day service requirement;

1 (21) Operation "Enduring Freedom", on or after September 11,
2 2001, who served in a theater of operation and in direct support of
3 that operation for a period, continuously or in the aggregate, of at
4 least 14 days in such active service commencing on or before the
5 date the President of the United States or the United States
6 Secretary of Defense designates as the termination date of that
7 operation; provided, that any person receiving an actual service-
8 incurred injury or disability while engaged in such service shall be
9 classed as a veteran whether or not that person has completed the 14
10 days' service as herein provided; **【and】**

11 (22) Operation "Iraqi Freedom", on or after the date the President
12 of the United States or the United States Secretary of Defense
13 designates as the inception date of that operation, who served in
14 Iraq or in another area in the region in direct support of that
15 operation for a period, continuously or in the aggregate, of at least
16 14 days in such active service commencing on or before the date the
17 President of the United States or the United States Secretary of
18 Defense designates as the termination date of that operation;
19 provided, that any person receiving an actual service-incurred injury
20 or disability while engaged in such service shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided ; and

23 (23) Operation, mission or conflict during the global war on
24 terror, on or after the date the President of the United States or the
25 United States Secretary of Defense designates as the inception date
26 of that operation, mission or conflict for a period, continuously or in
27 the aggregate, of at least 14 days in such active service,
28 commencing on or before the date the President of the United
29 States or the United States Secretary of Defense shall designate as
30 the termination date of that operation, mission or conflict, who
31 served in the theater or in support of that operation, mission, or
32 conflict, in the United States or abroad; provided, that any person
33 receiving an actual service-incurred injury or disability while
34 engaged in such service shall be classed as a veteran whether or not
35 that person has completed the 14 days' service as herein provided.

36 "Veteran" also means any (1) honorably discharged member of
37 the American Merchant Marine who served during World War II
38 and is declared by the United States Department of Defense to be
39 eligible for federal veterans' benefits and (2) any honorably
40 discharged member who has served at least 90 days commencing
41 between the dates of the wars or conflicts in paragraphs 12 and 14-
42 23 inclusive, regardless of location, exclusive of any period (a) of
43 assignment for a course of education or training which course was a
44 continuation of a civilian course and was pursued to completion, or
45 (b) as a cadet or midshipman at one of the service academies, or (c)
46 of service performed pursuant to an enlistment in the Army
47 National Guard or Air National Guard or in the Army Reserve,
48 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast

1 Guard Reserve, unless mobilized for active duty at the call of the
2 President of the United States, provided, that any person receiving
3 an actual, service-incurred injury or disability shall be classed as a
4 veteran, whether or not he has completed the 90 days' service as
5 herein provided.

6 s. "Child" means a deceased member's unmarried child either
7 (a) under the age of 18 or (b) of any age who, at the time of the
8 member's death, is disabled because of mental retardation or
9 physical incapacity, is unable to do any substantial, gainful work
10 because of the impairment and the impairment has lasted or can be
11 expected to last for a continuous period of not less than 12 months,
12 as affirmed by the medical board.

13 t. (1) "Widower," for employees of the State, means the man
14 to whom a member was married, or a domestic partner as defined in
15 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
16 the date of her death and to whom she continued to be married or a
17 domestic partner until the date of her death and who was receiving
18 at least one-half of his support from the member in the 12-month
19 period immediately preceding the member's death or the accident
20 which was the direct cause of the member's death. The dependency
21 of such a widower will be considered terminated by marriage of, or
22 establishment of a domestic partnership by, the widower subsequent
23 to the death of the member. In the event of the payment of an
24 accidental death benefit, the five-year qualification shall be waived.

25 (2) Subject to the provisions of paragraph (3) of this subsection,
26 "widower," for employees of public employers other than the State,
27 means the man to whom a member was married at least five years
28 before the date of her death and to whom she continued to be
29 married until the date of her death and who was receiving at least
30 one-half of his support from the member in the 12-month period
31 immediately preceding the member's death or the accident which
32 was the direct cause of the member's death. The dependency of such
33 a widower shall be considered terminated by marriage of the
34 widower subsequent to the death of the member. In the event of the
35 payment of an accidental death benefit, the five-year qualification
36 shall be waived.

37 (3) A public employer other than the State may adopt a
38 resolution providing that the term "widower" as defined in
39 paragraph (2) of this subsection shall include domestic partners as
40 provided in paragraph (1) of this subsection.

41 u. (1) "Widow," for employees of the State, means the woman
42 to whom a member was married, or a domestic partner as defined in
43 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
44 the date of his death and to whom he continued to be married or a
45 domestic partner until the date of his death and who was receiving
46 at least one-half of her support from the member in the 12-month
47 period immediately preceding the member's death or the accident
48 which was the direct cause of the member's death. The dependency

1 of such a widow will be considered terminated by the marriage of,
2 or establishment of a domestic partnership by, the widow
3 subsequent to the member's death. In the event of the payment of an
4 accidental death benefit, the five-year qualification shall be waived.

5 (2) Subject to the provisions of paragraph (3) of this subsection,
6 "widow," for employees of public employers other than the State,
7 means the woman to whom a member was married at least five
8 years before the date of his death and to whom he continued to be
9 married until the date of his death and who was receiving at least
10 one-half of her support from the member in the 12-month period
11 immediately preceding the member's death or the accident which
12 was the direct cause of the member's death. The dependency of such
13 a widow shall be considered terminated by the marriage of the
14 widow subsequent to the member's death. In the event of the
15 payment of an accidental death benefit, the five-year qualification
16 shall be waived.

17 (3) A public employer other than the State may adopt a
18 resolution providing that the term "widower" as defined in
19 paragraph (2) of this subsection shall include domestic partners as
20 provided in paragraph (1) of this subsection.

21 v. "Parent" means the parent of a member who was receiving at
22 least one-half of the parent's support from the member in the 12-
23 month period immediately preceding the member's death or the
24 accident which was the direct cause of the member's death. The
25 dependency of such a parent will be considered terminated by
26 marriage of the parent subsequent to the death of the member.

27 w. "Medical board" means the board of physicians provided for
28 in N.J.S.18A:66-56.

29 x. (1) "Spouse," for employees of the State, means the husband
30 or wife, or domestic partner as defined in section 3 of P.L.2003,
31 c.246 (C.26:8A-3), of a member.

32 (2) Subject to the provisions of paragraph (1) of this subsection,
33 "spouse," for employees of public employers other than the State,
34 means the husband or wife of a member.

35 (3) A public employer other than the State may adopt a
36 resolution providing that the term "spouse" as defined in paragraph
37 (2) of this subsection shall include domestic partners as provided in
38 paragraph (1) of this subsection.

39 (cf: P.L.2007, c.103, s.9)

40

41 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
42 as follows:

43 6. As used in this act:

44 a. "Accumulated deductions" means the sum of all the
45 amounts, deducted from the compensation of a member or
46 contributed by or on behalf of the member, standing to the credit of
47 the member's individual account in the annuity savings fund.

48 b. "Annuity" means payments for life derived from the

1 accumulated deductions of a member as provided in this act.

2 c. "Annuity reserve" means the present value of all payments
3 to be made on account of any annuity or benefit in lieu of an
4 annuity, granted under the provisions of this act, computed on the
5 basis of such mortality tables recommended by the actuary as the
6 board of trustees adopts, with regular interest.

7 d. "Beneficiary" means any person receiving a retirement
8 allowance or other benefit as provided in this act.

9 e. "Child" means a deceased member's unmarried child either
10 (1) under the age of 18 or (2) of any age who, at the time of the
11 member's death, is disabled because of mental retardation or
12 physical incapacity, is unable to do any substantial, gainful work
13 because of the impairment and the impairment has lasted or can be
14 expected to last for a continuous period of not less than 12 months,
15 as affirmed by the medical board.

16 f. "Parent" shall mean the parent of a member who was
17 receiving at least 1/2 of the parent's support from the member in the
18 12-month period immediately preceding the member's death or the
19 accident which was the direct cause of the member's death. The
20 dependency of such a parent will be considered terminated by
21 marriage of the parent subsequent to the death of the member.

22 g. (1) "Widower," for employees of the State, means the man
23 to whom a member was married, or a domestic partner as defined in
24 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
25 the date of her death and to whom she continued to be married or a
26 domestic partner until the date of her death and who was receiving
27 at least 1/2 of his support from the member in the 12-month period
28 immediately preceding the member's death or the accident which
29 was the direct cause of the member's death. The dependency of such
30 a widower will be considered terminated by marriage of, or
31 establishment of a domestic partnership by, the widower subsequent
32 to the death of the member. In the event of the payment of an
33 accidental death benefit, the five-year qualification shall be waived.

34 (2) Subject to the provisions of paragraph (3) of this subsection,
35 "widower," for employees of public employers other than the State,
36 means the man to whom a member was married at least five years
37 before the date of her death and to whom she continued to be
38 married until the date of her death and who was receiving at least
39 1/2 of his support from the member in the 12-month period
40 immediately preceding the member's death or the accident which
41 was the direct cause of the member's death. The dependency of such
42 a widower shall be considered terminated by marriage of the
43 widower subsequent to the death of the member. In the event of the
44 payment of an accidental death benefit, the five-year qualification
45 shall be waived.

46 (3) A public employer other than the State may adopt a
47 resolution providing that the term "widower" as defined in
48 paragraph (2) of this subsection shall include domestic partners as

- 1 provided in paragraph (1) of this subsection.
- 2 h. "Final compensation" means the average annual
3 compensation for which contributions are made for the three years
4 of creditable service in New Jersey immediately preceding the
5 member's retirement or death, or it shall mean the average annual
6 compensation for New Jersey service for which contributions are
7 made during any three fiscal years of his or her membership
8 providing the largest possible benefit to the member or the
9 member's beneficiary.
- 10 i. "Fiscal year" means any year commencing with July 1 and
11 ending with June 30 next following.
- 12 j. "Medical board" shall mean the board of physicians
13 provided for in section 17 (C.43:15A-17).
- 14 k. "Pension" means payments for life derived from
15 appropriations made by the employer as provided in this act.
- 16 l. "Pension reserve" means the present value of all payments to
17 be made on account of any pension or benefit in lieu of a pension
18 granted under the provisions of this act, computed on the basis of
19 such mortality tables recommended by the actuary as the board of
20 trustees adopts, with regular interest.
- 21 m. "Public Employees' Retirement System of New Jersey,"
22 hereinafter referred to as the "retirement system" or "system," is the
23 corporate name of the arrangement for the payment of retirement
24 allowances and other benefits under the provisions of this act
25 including the several funds placed under said system. By that name
26 all of its business shall be transacted, its funds invested, warrants
27 for money drawn, and payments made and all of its cash and
28 securities and other property held.
- 29 n. "Regular interest" shall mean interest as determined by the
30 State Treasurer, after consultation with the Directors of the
31 Divisions of Investment and Pensions, the board of trustees and the
32 actuary. It shall bear a reasonable relationship to the percentage rate
33 of earnings on investments based on the market value of the assets
34 but shall not exceed the assumed percentage rate of increase applied
35 to salaries plus 3%, provided however that the board of trustees
36 shall not set the average percentage rate of increase applied to
37 salaries below 6%.
- 38 o. "Retirement allowance" means the pension plus the annuity.
- 39 p. "Veteran" means any honorably discharged officer, soldier,
40 sailor, airman, marine or nurse who served in any Army, Air Force
41 or Navy of the Allies of the United States in World War I, between
42 July 14, 1914, and November 11, 1918, or who served in any Army,
43 Air Force or Navy of the Allies of the United States in World War
44 II, between September 1, 1939, and September 2, 1945, and who
45 was inducted into such service through voluntary enlistment, and
46 was a citizen of the United States at the time of such enlistment, and
47 who did not, during or by reason of such service, renounce or lose
48 United States citizenship, and any officer, soldier, sailor, marine,

1 airman, nurse or army field clerk, who has served in the active
2 military or naval service of the United States and has or shall be
3 discharged or released **【therefrom】** under conditions other than
4 dishonorable, **【in】** from services rendered during any of the
5 following wars, uprisings, insurrections, expeditions, or
6 emergencies, and who has presented to the retirement system
7 evidence of such record of service in form and content satisfactory
8 to said retirement system:

9 (1) The Indian wars and uprisings during any of the periods
10 recognized by the War Department of the United States as periods
11 of active hostility;

12 (2) The Spanish-American War between April 20, 1898, and
13 April 11, 1899;

14 (3) The Philippine insurrections and expeditions during the
15 periods recognized by the War Department of the United States as
16 of active hostility from February 4, 1899, to the end of 1913;

17 (4) The Peking relief expedition between June 20, 1900, and
18 May 27, 1902;

19 (5) The army of Cuban occupation between July 18, 1898, and
20 May 20, 1902;

21 (6) The army of Cuban pacification between October 6, 1906,
22 and April 1, 1909;

23 (7) The Mexican punitive expedition between March 14, 1916,
24 and February 7, 1917;

25 (8) The Mexican border patrol, having actually participated in
26 engagements against Mexicans between April 12, 1911, and June
27 16, 1919;

28 (9) World War I, between April 6, 1917, and November 11,
29 1918;

30 (10) World War II, between September 16, 1940, and December
31 31, 1946, who shall have served at least 90 days in such active
32 service, exclusive of any period of assignment (1) for a course of
33 education or training under the Army Specialized Training Program
34 or the Navy College Training Program which course was a
35 continuation of a civilian course and was pursued to completion, or
36 (2) as a cadet or midshipman at one of the service academies any
37 part of which 90 days was served between said dates; provided, that
38 any person receiving an actual service-incurred injury or disability
39 shall be classed as a veteran whether or not that person has
40 completed the 90-day service as herein provided;

41 (11) Korean conflict on or after June 23, 1950, and on or prior to
42 January 31, 1955, who shall have served at least 90 days in such
43 active service, exclusive of any period of assignment (1) for a
44 course of education or training under the Army Specialized
45 Training Program or the Navy College Training Program which
46 course was a continuation of a civilian course and was pursued to
47 completion, or (2) as a cadet or midshipman at one of the service
48 academies, any part of which 90 days was served between said

1 dates; provided, that any person receiving an actual service-incurred
2 injury or disability shall be classed as a veteran whether or not that
3 person has completed the 90-day service as herein provided; and
4 provided further, that any member classed as a veteran pursuant to
5 this paragraph prior to August 1, 1966, shall continue to be classed
6 as a veteran whether or not that person completed the 90-day
7 service between said dates as herein provided;

8 (12) Lebanon crisis, on or after July 1, 1958, who has served in
9 Lebanon or on board any ship actively engaged in patrolling the
10 territorial waters of that nation for a period, continuous or in the
11 aggregate, of at least 14 days commencing on or before November
12 1, 1958 or the date of termination of that conflict, as proclaimed by
13 the President of the United States or Congress, whichever date of
14 termination is the latest, in such active service; provided, that any
15 person receiving an actual service-incurred injury or disability shall
16 be classed as a veteran whether or not that person has completed the
17 14 days' service as herein provided;

18 (13) Vietnam conflict on or after December 31, 1960, and on or
19 prior to May 7, 1975, who shall have served at least 90 days in such
20 active service, exclusive of any period of assignment (1) for a
21 course of education or training under the Army Specialized
22 Training Program or the Navy College Training Program which
23 course was a continuation of a civilian course and was pursued to
24 completion, or (2) as a cadet or midshipman at one of the service
25 academies, any part of which 90 days was served between said
26 dates; and exclusive of any service performed pursuant to the
27 provisions of section 511(d) of Title 10, United States Code,
28 pursuant to an enlistment in the Army National Guard or as a
29 reserve for service in the Army Reserve, Naval Reserve, Air Force
30 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
31 that any person receiving an actual service-incurred injury or
32 disability shall be classed as a veteran whether or not that person
33 has completed the 90 days' service as herein provided;

34 (14) Lebanon peacekeeping mission, on or after September 26,
35 1982, who has served in Lebanon or on board any ship actively
36 engaged in patrolling the territorial waters of that nation for a
37 period, continuous or in the aggregate, of at least 14 days
38 commencing on or before December 1, 1987 or the date of
39 termination of that mission, as proclaimed by the President of the
40 United States or Congress, whichever date of termination is the
41 latest, in such active service; provided, that any person receiving an
42 actual service-incurred injury or disability shall be classed as a
43 veteran whether or not that person has completed the 14 days'
44 service as herein provided;

45 (15) Grenada peacekeeping mission, on or after October 23,
46 1983, who has served in Grenada or on board any ship actively
47 engaged in patrolling the territorial waters of that nation for a
48 period, continuous or in the aggregate, of at least 14 days

1 commencing on or before November 21, 1983 or the date of
2 termination of that mission, as proclaimed by the President of the
3 United States or Congress, whichever date of termination is the
4 latest, in such active service; provided, that any person receiving an
5 actual service-incurred injury or disability shall be classed as a
6 veteran whether or not that person has completed the 14 days'
7 service as herein provided;

8 (16) Panama peacekeeping mission, on or after December 20,
9 1989 or the date of inception of that mission, as proclaimed by the
10 President of the United States or Congress, whichever date of
11 inception is earliest, who has served in Panama or on board any ship
12 actively engaged in patrolling the territorial waters of that nation for
13 a period, continuous or in the aggregate, of at least 14 days
14 commencing on or before January 31, 1990 or the date of
15 termination of that mission, as proclaimed by the President of the
16 United States or Congress, whichever date of termination is the
17 latest, in such active service; provided, that any person receiving an
18 actual service-incurred injury or disability shall be classed as a
19 veteran whether or not that person has completed the 14 days'
20 service as herein provided;

21 (17) Operation "Desert Shield/Desert Storm" mission in the
22 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
23 or the date of inception of that operation, as proclaimed by the
24 President of the United States or Congress, whichever date of
25 inception is earliest, who has served in the Arabian peninsula or on
26 board any ship actively engaged in patrolling the Persian Gulf for a
27 period, continuous or in the aggregate, of at least 14 days
28 commencing on or before the date of termination of that mission, as
29 proclaimed by the President of the United States or Congress,
30 whichever date of termination is the latest, in such active service;
31 provided, that any person receiving an actual service-incurred injury
32 or disability shall be classed as a veteran whether or not that person
33 has completed the 14 days' service as herein provided;

34 (18) Operation Northern Watch and Operation Southern Watch,
35 on or after August 27, 1992, or the date of inception of that
36 operation, as proclaimed by the President of the United States,
37 Congress or United States Secretary of Defense, whichever date of
38 inception is earliest, who served in the theater of operation,
39 including in the Arabian peninsula and the Persian Gulf, and in
40 direct support of that operation for a period, continuously or in the
41 aggregate, of at least 14 days in such active service, commencing on
42 or before the date of termination of that operation, as proclaimed by
43 the President of the United States, Congress or United States
44 Secretary of Defense, whichever date of termination is the latest;
45 provided, that any person receiving an actual service-incurred injury
46 or disability while engaged in such service shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 service as herein provided;

1 (19) Operation "Restore Hope" in Somalia, on or after
2 December 5, 1992, or the date of inception of that operation as
3 proclaimed by the President of the United States or Congress,
4 whichever date is earliest, who has served in Somalia or on board
5 any ship actively engaged in patrolling the territorial waters of that
6 nation for a period, continuously or in the aggregate, of at least 14
7 days in such active service commencing on or before March 31,
8 1994; provided that any person receiving an actual service-incurred
9 injury or disability shall be classed as a veteran whether or not that
10 person has completed the 14-day service as herein provided;

11 (20) Operations "Joint Endeavor" and "Joint Guard" in the
12 Republic of Bosnia and Herzegovina, on or after November 20,
13 1995, who served in such active service in direct support of one or
14 both of the operations for at least 14 days, continuously or in the
15 aggregate, commencing on or before June 20, 1998 and (1) was
16 deployed in that nation or in another area in the region, or (2) was
17 on board a United States naval vessel operating in the Adriatic Sea,
18 or (3) operated in airspace above the Republic of Bosnia and
19 Herzegovina; provided that any person receiving an actual service-
20 incurred injury or disability shall be classed as a veteran whether or
21 not that person completed the 14-day service requirement;

22 (21) Operation "Enduring Freedom", on or after September 11,
23 2001, who served in a theater of operation and in direct support of
24 that operation for a period, continuously or in the aggregate, of at
25 least 14 days in such active service commencing on or before the
26 date the President of the United States or the United States
27 Secretary of Defense designates as the termination date of that
28 operation; provided, that any person receiving an actual service-
29 incurred injury or disability while engaged in such service shall be
30 classed as a veteran whether or not that person has completed the 14
31 days' service as herein provided; **【and】**

32 (22) Operation "Iraqi Freedom", on or after the date the
33 President of the United States or the United States Secretary of
34 Defense designates as the inception date of that operation, who
35 served in Iraq or in another area in the region in direct support of
36 that operation for a period, continuously or in the aggregate, of at
37 least 14 days in such active service commencing on or before the
38 date the President of the United States or the United States
39 Secretary of Defense designates as the termination date of that
40 operation; provided, that any person receiving an actual service-
41 incurred injury or disability while engaged in such service shall be
42 classed as a veteran whether or not that person has completed the 14
43 days' service as herein provided ; and

44 (23) Operation, mission or conflict during the global war on
45 terror, on or after the date the President of the United States or the
46 United States Secretary of Defense designates as the inception date
47 of that operation, mission or conflict for a period, continuously or in
48 the aggregate, of at least 14 days in such active service,

1 commencing on or before the date the President of the United
2 States or the United States Secretary of Defense shall designate as
3 the termination date of that operation, mission or conflict, who
4 served in the theater or in support of that operation, mission, or
5 conflict, in the United States or abroad; provided, that any person
6 receiving an actual service-incurred injury or disability while
7 engaged in such service shall be classed as a veteran whether or not
8 that person has completed the 14 days' service as herein provided.

9 "Veteran" also means (1) any honorably discharged member of
10 the American Merchant Marine who served during World War II
11 and is declared by the United States Department of Defense to be
12 eligible for federal veterans' benefits and (2) any honorably
13 discharged member who has served at least 90 days commencing
14 between the dates of the wars or conflicts in paragraphs 12 and 14-
15 23 inclusive, regardless of location, exclusive of any period (a) of
16 assignment for a course of education or training which course was a
17 continuation of a civilian course and was pursued to completion, or
18 (b) as a cadet or midshipman at one of the service academies, or (c)
19 of service performed pursuant to an enlistment in the Army
20 National Guard or Air National Guard or in the Army Reserve,
21 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
22 Guard Reserve, unless mobilized for active duty at the call of the
23 President of the United States, provided, that any person receiving
24 an actual, service-incurred injury or disability shall be classed as a
25 veteran, whether or not he has completed the 90 days' service as
26 herein provided.

27 q. (1) "Widow," for employees of the State, means the woman
28 to whom a member was married, or a domestic partner as defined in
29 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
30 the date of his death and to whom he continued to be married or a
31 domestic partner until the date of his death and who was receiving
32 at least 1/2 of her support from the member in the 12-month period
33 immediately preceding the member's death or the accident which
34 was the direct cause of the member's death. The dependency of such
35 a widow will be considered terminated by the marriage of, or
36 establishment of a domestic partnership by, the widow subsequent
37 to the member's death. In the event of the payment of an accidental
38 death benefit, the five-year qualification shall be waived.

39 (2) Subject to the provisions of paragraph (3) of this subsection,
40 "widow," for employees of public employers other than the State,
41 means the woman to whom a member was married at least five
42 years before the date of his death and to whom he continued to be
43 married until the date of his death and who was receiving at least
44 1/2 of her support from the member in the 12-month period
45 immediately preceding the member's death or the accident which
46 was the direct cause of the member's death. The dependency of such
47 a widow shall be considered terminated by the marriage of the
48 widow subsequent to the member's death. In the event of the

1 payment of an accidental death benefit, the five-year qualification
2 shall be waived.

3 (3) A public employer other than the State may adopt a
4 resolution providing that the term "widow" as defined in paragraph
5 (2) of this subsection shall include domestic partners as provided in
6 paragraph (1) of this subsection.

7 r. (1) "Compensation" means the base or contractual salary,
8 for services as an employee, which is in accordance with
9 established salary policies of the member's employer for all
10 employees in the same position but shall not include individual
11 salary adjustments which are granted primarily in anticipation of
12 the member's retirement or additional remuneration for performing
13 temporary or extracurricular duties beyond the regular workday or
14 the regular work year.

15 (2) In the case of a person who becomes a member of the
16 retirement system on or after July 1, 2007, "compensation" means
17 the amount of base or contractual salary equivalent to the annual
18 maximum wage contribution base for Social Security, pursuant to
19 the Federal Insurance Contributions Act, for services as an
20 employee, which is in accordance with established salary policies of
21 the member's employer for all employees in the same position but
22 shall not include individual salary adjustments which are granted
23 primarily in anticipation of the member's retirement or additional
24 remuneration for performing temporary or extracurricular duties
25 beyond the regular workday or the regular work year. This
26 paragraph shall not apply to a person who at the time of enrollment
27 in the retirement system on or after July 1, 2007 transfers service
28 credit from another State-administered retirement system pursuant
29 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
30 former member of the retirement system who has been granted a
31 retirement allowance and is reenrolled in the retirement system on
32 or after July 1, 2007 pursuant to section 27 of P.L.1966,
33 c.217 (C.43:15A-57.2) after becoming employed again in a position
34 that makes the person eligible to be a member of the retirement
35 system.

36 In cases where salary includes maintenance, the retirement
37 system shall fix the value of that part of the salary not paid in
38 money which shall be considered under this act.

39 (cf: P.L.2007, c.103, s.10)

40

41 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
42 read as follows:

43 1. For purposes of this act "veteran" means any honorably
44 discharged officer, soldier, sailor, airman, marine or nurse who
45 served in any Army, Air Force or Navy of the Allies of the United
46 States in World War I, between July 14, 1914, and November 11,
47 1918, or who served in any Army, Air Force or Navy of the Allies
48 of the United States in World War II, between September 1, 1939,

1 and September 2, 1945, and who was inducted into such service
2 through voluntary enlistment, and was a citizen of the United States
3 at the time of such enlistment, and who did not, during or by reason
4 of such service, renounce or lose United States citizenship, and any
5 officer, soldier, sailor, marine, airman, nurse or army field clerk,
6 who has served in the active military or naval service of the United
7 States and has or shall be discharged or released **【therefrom】** under
8 conditions other than dishonorable, **【in】** from service rendered
9 during any of the following wars, uprisings, insurrections,
10 expeditions, or emergencies, and who has presented to the
11 retirement system evidence of such record of service in form and
12 content satisfactory to said retirement system:

13 (1) The Indian wars and uprisings during any of the periods
14 recognized by the War Department of the United States as periods
15 of active hostility;

16 (2) The Spanish-American War between April 20, 1898, and
17 April 11, 1899;

18 (3) The Philippine insurrections and expeditions during the
19 periods recognized by the War Department of the United States as
20 of active hostility from February 4, 1899, to the end of 1913;

21 (4) The Peking relief expedition between June 20, 1900, and
22 May 27, 1902;

23 (5) The army of Cuban occupation between July 18, 1898, and
24 May 20, 1902;

25 (6) The army of Cuban pacification between October 6, 1906,
26 and April 1, 1909;

27 (7) The Mexican punitive expedition between March 14, 1916,
28 and February 7, 1917;

29 (8) The Mexican border patrol, having actually participated in
30 engagements against Mexicans between April 12, 1911, and June
31 16, 1919;

32 (9) World War I between April 6, 1917, and November 11,
33 1918;

34 (10) World War II, between September 16, 1940, and December
35 31, 1946, who shall have served at least 90 days in such active
36 service, exclusive of any period of assignment (1) for a course of
37 education or training under the Army Specialized Training Program
38 or the Navy College Training program which course was a
39 continuation of a civilian course and was pursued to completion, or
40 (2) as a cadet or midshipman at one of the service academies any
41 part of which 90 days was served between said dates; provided, that
42 any person receiving an actual service-incurred injury or disability
43 shall be classed as a veteran whether or not that person has
44 completed the 90-day service as herein provided;

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such
47 active service, exclusive of any period of assignment (1) for a
48 course of education or training under the Army Specialized

1 Training Program or the Navy College Training Program which
2 course was a continuation of a civilian course and was pursued to
3 completion, or (2) as a cadet or midshipman at one of the service
4 academies, any part of which 90 days was served between said
5 dates; provided, that any person receiving an actual service-incurred
6 injury or disability shall be classed as a veteran whether or not that
7 person has completed the 90-day service as herein provided; and
8 provided further, that any member classed as a veteran pursuant to
9 this subparagraph prior to August 1, 1966, shall continue to be
10 classed as a veteran whether or not the member completed the 90-
11 day service between said dates as herein provided;

12 (12) Lebanon crisis, on or after July 1, 1958, who has served in
13 Lebanon or on board any ship actively engaged in patrolling the
14 territorial waters of that nation for a period, continuous or in the
15 aggregate, of at least 14 days commencing on or before November
16 1, 1958 or the date of termination of that conflict, as proclaimed by
17 the President of the United States or Congress, whichever date of
18 termination is the latest, in such active service; provided, that any
19 person receiving an actual service-incurred injury or disability shall
20 be classed as a veteran whether or not that person has completed the
21 14 days' service as herein provided;

22 (13) Vietnam conflict on or after December 31, 1960, and on or
23 prior to May 7, 1975, who shall have served at least 90 days in such
24 active service, exclusive of any period of assignment (1) for a
25 course of education or training under the Army Specialized
26 Training Program or the Navy College Training Program which
27 course was a continuation of a civilian course and was pursued to
28 completion, or (2) as a cadet or midshipman at one of the service
29 academies, any part of which 90 days was served between said
30 dates; and exclusive of any service performed pursuant to the
31 provisions of section 511 (d) of Title 10, United States Code,
32 pursuant to an enlistment in the Army National Guard or as a
33 reserve for service in the Army Reserve, Naval Reserve, Air Force
34 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
35 that any person receiving an actual service-incurred injury or
36 disability shall be classed as a veteran whether or not that person
37 has completed the 90 days' service as herein provided;

38 (14) Lebanon peacekeeping mission, on or after September 26,
39 1982, who has served in Lebanon or on board any ship actively
40 engaged in patrolling the territorial waters of that nation for a
41 period, continuous or in the aggregate, of at least 14 days
42 commencing on or before December 1, 1987 or the date of
43 termination of that mission, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the
45 latest, in such active service; provided, that any person receiving an
46 actual service-incurred injury or disability shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 service as herein provided;

1 (15) Grenada peacekeeping mission, on or after October 23,
2 1983, who has served in Grenada or on board any ship actively
3 engaged in patrolling the territorial waters of that nation for a
4 period, continuous or in the aggregate, of at least 14 days
5 commencing on or before November 21, 1983 or the date of
6 termination of that mission, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is the
8 latest, in such active service; provided, that any person receiving an
9 actual service-incurred injury or disability shall be classed as a
10 veteran whether or not that person has completed the 14 days'
11 service as herein provided;

12 (16) Panama peacekeeping mission, on or after December 20,
13 1989 or the date of inception of that mission, as proclaimed by the
14 President of the United States or Congress, whichever date of
15 inception is earliest, who has served in Panama or on board any ship
16 actively engaged in patrolling the territorial waters of that nation for
17 a period, continuous or in the aggregate, of at least 14 days
18 commencing on or before January 31, 1990 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (17) Operation "Desert Shield/Desert Storm" mission in the
26 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
27 or the date of inception of that operation, as proclaimed by the
28 President of the United States or Congress, whichever date of
29 inception is earliest, who has served in the Arabian peninsula or on
30 board any ship actively engaged in patrolling the Persian Gulf for a
31 period, continuous or in the aggregate, of at least 14 days
32 commencing on or before the date of termination of that mission, as
33 proclaimed by the President of the United States or Congress,
34 whichever date of termination is the latest, in such active service;
35 provided, that any person receiving an actual service-incurred injury
36 or disability shall be classed as a veteran whether or not that person
37 has completed the 14 days' service as herein provided;

38 (18) Operation Northern Watch and Operation Southern Watch,
39 on or after August 27, 1992, or the date of inception of that
40 operation, as proclaimed by the President of the United States,
41 Congress or United States Secretary of Defense, whichever date of
42 inception is earliest, who served in the theater of operation,
43 including in the Arabian peninsula and the Persian Gulf, and in
44 direct support of that operation for a period, continuously or in the
45 aggregate, of at least 14 days in such active service, commencing on
46 or before the date of termination of that operation, as proclaimed by
47 the President of the United States, Congress or United States
48 Secretary of Defense, whichever date of termination is the latest;

1 provided, that any person receiving an actual service-incurred injury
2 or disability while engaged in such service shall be classed as a
3 veteran whether or not that person has completed the 14 days'
4 service as herein provided;

5 (19) Operation "Restore Hope" in Somalia, on or after
6 December 5, 1992, or the date of inception of that operation as
7 proclaimed by the President of the United States or Congress,
8 whichever date is earliest, who has served in Somalia or on board
9 any ship actively engaged in patrolling the territorial waters of that
10 nation for a period, continuously or in the aggregate, of at least 14
11 days in such active service commencing on or before March 31,
12 1994; provided that any person receiving an actual service-incurred
13 injury or disability shall be classed as a veteran whether or not that
14 person has completed the 14-day service as herein provided;

15 (20) Operations "Joint Endeavor" and "Joint Guard" in the
16 Republic of Bosnia and Herzegovina, on or after November 20,
17 1995, who served in such active service in direct support of one or
18 both of the operations for at least 14 days, continuously or in the
19 aggregate, commencing on or before June 20, 1998, and (1) was
20 deployed in that nation or in another area in the region, or (2) was
21 on board a United States naval vessel operating in the Adriatic Sea,
22 or (3) operated in airspace above the Republic of Bosnia and
23 Herzegovina; provided that any person receiving an actual service-
24 incurred injury or disability shall be classed as a veteran whether or
25 not that person completed the 14-day service requirement;

26 (21) Operation "Enduring Freedom", on or after September 11,
27 2001, who served in a theater of operation and in direct support of
28 that operation for a period, continuously or in the aggregate, of at
29 least 14 days in such active service commencing on or before the
30 date the President of the United States or the United States
31 Secretary of Defense designates as the termination date of that
32 operation; provided, that any person receiving an actual service-
33 incurred injury or disability while engaged in such service shall be
34 classed as a veteran whether or not that person has completed the 14
35 days' service as herein provided; **【and】**

36 (22) Operation "Iraqi Freedom", on or after the date the
37 President of the United States or the United States Secretary of
38 Defense designates as the inception date of that operation, who
39 served in Iraq or in another area in the region in direct support of
40 that operation for a period, continuously or in the aggregate, of at
41 least 14 days in such active service commencing on or before the
42 date the President of the United States or the United States
43 Secretary of Defense designates as the termination date of that
44 operation; provided, that any person receiving an actual service-
45 incurred injury or disability while engaged in such service shall be
46 classed as a veteran whether or not that person has completed the 14
47 days' service as herein provided ; and

1 (23) Operation, mission or conflict during the global war on
2 terror, on or after the date the President of the United States or the
3 United States Secretary of Defense designates as the inception date
4 of that operation, mission or conflict for a period, continuously or in
5 the aggregate, of at least 14 days in such active service,
6 commencing on or before the date the President of the United
7 States or the United States Secretary of Defense shall designate as
8 the termination date of that operation, mission or conflict, who
9 served in the theater or in support of that operation, mission, or
10 conflict, in the United States or abroad; provided, that any person
11 receiving an actual service-incurred injury or disability while
12 engaged in such service shall be classed as a veteran whether or not
13 that person has completed the 14 days' service as herein provided.

14 "Veteran" also means (1) any honorably discharged member of
15 the American Merchant Marine who served during World War II
16 and is declared by the United States Department of Defense to be
17 eligible for federal veterans' benefits and (2) any honorably
18 discharged member who has served at least 90 days commencing
19 between the dates of the wars or conflicts in paragraphs 12 and 14-
20 23 inclusive, regardless of location, exclusive of any period (a) of
21 assignment for a course of education or training which course was a
22 continuation of a civilian course and was pursued to completion, or
23 (b) as a cadet or midshipman at one of the service academies, or (c)
24 of service performed pursuant to an enlistment in the Army
25 National Guard or Air National Guard or in the Army Reserve,
26 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
27 Guard Reserve, unless mobilized for active duty at the call of the
28 President of the United States, provided, that any person receiving
29 an actual, service-incurred injury or disability shall be classed as a
30 veteran, whether or not he has completed the 90 days' service as
31 herein provided.

32 (cf: P.L.2005, c.64, s.4)

33
34 5. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
35 read as follows:

36 1. (a) "Active service in time of war" means active service at
37 some time during one of the following periods:

38 Operation "Iraqi Freedom", on or after the date the President of
39 the United States or the United States Secretary of Defense
40 designates as the inception date of that operation, who served in
41 Iraq or in another area in the region in direct support of that
42 operation for a period, continuously or in the aggregate, of at least
43 14 days in such active service commencing on or before the date the
44 President of the United States or the United States Secretary of
45 Defense designates as the termination date of that operation;
46 provided, that any person receiving an actual service-incurred injury
47 or disability while engaged in such service shall be classed as a
48 veteran whether or not that person has completed the 14 days'

1 service as herein provided;

2 Operation "Enduring Freedom", on or after September 11, 2001,
3 who served in a theater of operation and in direct support of that
4 operation for a period, continuously or in the aggregate, of at least
5 14 days in such active service commencing on or before the date the
6 President of the United States or the United States Secretary of
7 Defense designates as the termination date of that operation;
8 provided, that any person receiving an actual service-incurred injury
9 or disability while engaged in such service shall be classed as a
10 veteran whether or not that person has completed the 14 days'
11 service as herein provided;

12 Operation, mission or conflict during the global war on terror, on
13 or after the date the President of the United States or the United
14 States Secretary of Defense designates as the inception date of that
15 operation, mission or conflict for a period, continuously or in the
16 aggregate, of at least 14 days in such active service, commencing
17 on or before the date the President of the United States or the
18 United States Secretary of Defense shall designate as the
19 termination date of that operation, mission or conflict, who served
20 in the theater or in support of that operation, mission, or conflict, in
21 the United States or abroad; provided, that any person receiving an
22 actual service-incurred injury or disability while engaged in such
23 service shall be classed as a veteran whether or not that person has
24 completed the 14 days' service as herein provided;

25 Operation "Restore Hope" in Somalia, on or after December 5,
26 1992, or the date of inception of that operation as proclaimed by the
27 President of the United States or Congress, whichever date is
28 earliest, who has served in Somalia or on board any ship actively
29 engaged in patrolling the territorial waters of that nation for a
30 period, continuously or in the aggregate, of at least 14 days in such
31 active service commencing on or before March 31, 1994; provided
32 that any person receiving an actual service-incurred injury or
33 disability shall be classed as a veteran whether or not that person
34 has completed the 14-day service as herein provided;

35 Operations "Joint Endeavor" and "Joint Guard" in the Republic
36 of Bosnia and Herzegovina, on or after November 20, 1995, who
37 served in such active service in direct support of one or both of the
38 operations for at least 14 days, continuously or in the aggregate,
39 commencing on or before June 20, 1998, and (1) was deployed in
40 that nation or in another area in the region, or (2) was on board a
41 United States naval vessel operating in the Adriatic Sea, or (3)
42 operated in airspace above the Republic of Bosnia and
43 Herzegovina; provided that any person receiving an actual service-
44 incurred injury or disability shall be classed as a veteran whether or
45 not that person completed the 14-day service requirement;

46 Operation Northern Watch and Operation Southern Watch, on or
47 after August 27, 1992, or the date of inception of that operation, as
48 proclaimed by the President of the United States, Congress or

1 United States Secretary of Defense, whichever date of inception is
2 earliest, who served in the theater of operation, including in the
3 Arabian peninsula and the Persian Gulf, and in direct support of that
4 operation for a period, continuously or in the aggregate, of at least
5 14 days in such active service, commencing on or before the date of
6 termination as proclaimed by the President of the United States,
7 Congress or United States Secretary of Defense, whichever date of
8 termination is the latest; provided, that any person receiving an
9 actual service-incurred injury or disability while engaged in such
10 service shall be classed as a veteran whether or not that person has
11 completed the 14 days' service as herein provided;

12 Operation "Desert Shield/Desert Storm" mission in the Arabian
13 peninsula and the Persian Gulf, on or after August 2, 1990 or the
14 date of inception of that operation, as proclaimed by the President
15 of the United States or Congress, whichever date of inception is
16 earliest, who has served in the Arabian peninsula or on board any
17 ship actively engaged in patrolling the Persian Gulf for a period,
18 continuous or in the aggregate, of at least 14 days commencing on
19 or before the date of termination of that mission, as proclaimed by
20 the President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall
23 be classed as a veteran whether or not that person has completed the
24 14 days' service as herein provided;

25 The Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 The Grenada peacekeeping mission, on or after October 23,
39 1983, who has served in Grenada or on board any ship actively
40 engaged in patrolling the territorial waters of that nation for a
41 period, continuous or in the aggregate, of at least 14 days
42 commencing on or before November 21, 1983 or the date of
43 termination of that mission as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the
45 latest, in such active service; provided, that any person receiving an
46 actual service-incurred injury or disability shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 service as herein provided;

1 The Lebanon peacekeeping mission, on or after September 26,
2 1982, who has served in Lebanon or on board any ship actively
3 engaged in patrolling the territorial waters of that nation for a
4 period, continuous or in the aggregate, of at least 14 days
5 commencing on or before December 1, 1987 or the date of
6 termination of that mission, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is the
8 latest, in such active service; provided, that any person receiving an
9 actual service-incurred injury or disability shall be classed as a
10 veteran whether or not that person has completed the 14 days'
11 service as herein provided;

12 The Vietnam conflict, December 31, 1960, to May 7, 1975;

13 The Lebanon crisis, on or after July 1, 1958, who has served in
14 Lebanon or on board any ship actively engaged in patrolling the
15 territorial waters of that nation for a period, continuous or in the
16 aggregate, of at least 14 days commencing on or before November
17 1, 1958 or the date of termination of that conflict, as proclaimed by
18 the President of the United States or Congress, whichever date of
19 termination is the latest, in such active service; provided, that any
20 person receiving an actual service-incurred injury or disability shall
21 be classed as a veteran whether or not that person has completed the
22 14 days' service as herein provided;

23 The Korean conflict, June 23, 1950 to January 31, 1955;

24 World War II, September 16, 1940 to December 31, 1946;

25 World War I, April 6, 1917 to November 11, 1918, and in the
26 case of service with the United States military forces in Russia,
27 April 6, 1917 to April 1, 1920;

28 Spanish-American War, April 21, 1898 to August 13, 1898;

29 Civil War, April 15, 1861 to May 26, 1865; or, as to any
30 subsequent war, during the period from the date of declaration of
31 war to the date on which actual hostilities shall cease.

32 (b) "Assessor" means the assessor, board of assessors or any
33 other official or body of a taxing district charged with the duty of
34 assessing real and personal property for the purpose of general
35 taxation.

36 (c) "Collector" means the collector or receiver of taxes of a
37 taxing district.

38 (d) "Honorably discharged or released under honorable
39 circumstances from active service in time of war," means and
40 includes every form of separation from active, full-time duty with
41 military or naval pay and allowances in some branch of the Armed
42 Forces of the United States in time of war, other than those marked
43 "dishonorable," "undesirable," "bad conduct," "by sentence of
44 general court martial," "by sentence of summary court martial" or
45 similar expression indicating that the discharge or release was not
46 under honorable circumstances. A disenrollment certificate or other
47 form of release terminating temporary service in a military or naval
48 branch of the armed forces rendered on a voluntary and part-time

1 basis without pay, or a release from or deferment of induction into
2 the active military or naval service shall not be deemed to be
3 included in the aforementioned phrase.

4 (e) "Pre-tax year" means the particular calendar year
5 immediately preceding the "tax year."

6 (f) "Resident" means one legally domiciled within the State of
7 New Jersey. Mere seasonal or temporary residence within the State,
8 of whatever duration, shall not constitute domicile within the State
9 for the purposes of this act. Absence from this State for a period of
10 12 months shall be prima facie evidence of abandonment of
11 domicile in this State. The burden of establishing legal domicile
12 within the State shall be upon the claimant.

13 (g) "Tax year" means the particular calendar year in which the
14 general property tax is due and payable.

15 (h) "Veteran" means any citizen and resident of this State
16 honorably discharged or released under honorable circumstances
17 from active service in time of war in any branch of the Armed
18 Forces of the United States. The term also means any honorably
19 discharged member who has served at least 90 days commencing
20 between the dates any of the wars or conflicts in paragraphs 1-10
21 inclusive and 12 of subsection a. of this section, regardless of
22 location, exclusive of any period (1) of assignment for a course of
23 education or training which course was a continuation of a civilian
24 course and was pursued to completion, or (2) as a cadet or
25 midshipman at one of the service academies, or (3) of service
26 performed pursuant to an enlistment in the Army National Guard or
27 Air National Guard or in the Army Reserve, Naval Reserve, Air
28 Force Reserve, Marine Corps Reserve, or Coast Guard Reserve,
29 unless mobilized for active duty at the call of the President of the
30 United States, provided, that any person receiving an actual,
31 service-incurred injury or disability shall be classed as a veteran,
32 whether or not he has completed the 90 days' service as herein
33 provided.

34 (i) "Veteran's deduction" means the deduction against the taxes
35 payable by any person, allowable pursuant to this act.

36 (j) "Surviving spouse" means the surviving wife or husband of
37 any of the following, while he or she is a resident of this State,
38 during widowhood or widowerhood:

39 1. A citizen and resident of this State who has died or shall die
40 while on active duty in time of war in any branch of the Armed
41 Forces of the United States; or

42 2. A citizen and resident of this State who has had or shall
43 hereafter have active service in time of war in any branch of the
44 Armed Forces of the United States and who died or shall die while
45 on active duty in a branch of the Armed Forces of the
46 United States; or

47 3. A citizen and resident of this State who has been or may
48 hereafter be honorably discharged or released under honorable

1 circumstances from active service in time of war in any branch of
2 the Armed Forces of the United States.

3 (k) "Cooperative" means a housing corporation or association
4 incorporated or organized under the laws of New Jersey which
5 entitles a shareholder thereof to possess and occupy for dwelling
6 purposes a house, apartment or other structure owned or leased by
7 the corporation or association.

8 (l) "Mutual housing corporation" means a corporation not-for-
9 profit incorporated under the laws of New Jersey on a mutual or
10 cooperative basis within the scope of section 607 of the "National
11 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
12 which acquired a National Defense Housing Project pursuant to that
13 act.

14 (cf: P.L.2005, c.64, s.5)

15
16 6. This act shall take effect immediately, and section 1 shall
17 apply to eligible lists prepared on or after the effective date and
18 section 5 shall apply to the tax year next following enactment.

21 STATEMENT

22
23 This bill provides veterans status to a veteran of any operation,
24 mission or conflict during the global war on terror, including those
25 who served in Operation Noble Eagle, in the United States or
26 abroad.

27 Under current law, only members of Operations Enduring and
28 Iraqi Freedom are veterans of the global war on terror. Under
29 current law, members of Noble Eagle or any other concurrent or
30 subsequent operation, mission or conflict related to the global war
31 on terror do not qualify. This bill will include those persons.

32 This bill amends several statutes that define "veteran" for the
33 purposes of civil service hiring preferences, the purchase of service
34 credit and the calculation of retirant benefits in the Public
35 Employees' Retirement System (PERS) and Teachers' Pension and
36 Annuity Fund (TPAF), for the purchase of service credit in the
37 Police and Firemen's Retirement System (PFRS), and for the receipt
38 of a property tax deduction or exemption.

39 Also, under this bill, the "in country" 14-day active service
40 requirement that limits the definition of veteran for some military
41 engagements is supplemented with a minimum 90-day active
42 military service requirement regardless of location, exclusive of any
43 period (1) of assignment for a course of education or training which
44 course was a continuation of a civilian course and was pursued to
45 completion, or (2) as a cadet or midshipman at one of the service
46 academies, or (3) of service performed pursuant to an enlistment in
47 the Army National Guard or Air National Guard or in the Army
48 Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve,

1 or Coast Guard Reserve, unless mobilized for active duty at the call
2 of the President of the United States, provided, that any person
3 receiving an actual, service-incurred injury or disability will be
4 classed as a veteran, whether or not he has completed the 90 days'
5 service as herein provided. Consequently, active military service
6 for at least 90 days performed anywhere, in whole or in part, during
7 the dates for the specific engagements named will qualify a person
8 as a "veteran" for the purposes of the statutes amended. Thus, the
9 bill will permit a greater number of individuals to receive the
10 benefits specified.