

ASSEMBLY, No. 2026

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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SYNOPSIS

Permits veterans, for civil service purposes, to be defined as a veteran or disabled veteran under federal or State definition of veteran.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning civil service preference for veterans and
2 amending N.J.S.11A:5-1.

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 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 any of the following wars or conflicts and who has presented to
33 the Adjutant General of the Department of Military and Veterans'
34 Affairs sufficient evidence of the record of service and received a
35 determination of status no later than eight days prior to the issuance
36 of an employment list, for which that individual received a passing
37 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
8 December 5, 1992, or the date of inception of that operation as
9 proclaimed by the President of the United States or the Congress,
10 whichever date is earliest, who has served in Somalia or on board
11 any ship actively engaged in patrolling the territorial waters of that
12 nation for a period, continuously or in the aggregate, of at least 14
13 days in such active service commencing on or before March 31,
14 1994; provided that any person receiving an actual service-incurred
15 injury or disability shall be classed as a veteran whether or not that
16 person 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

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

c. "War service" means service by a veteran in any war or conflict described in this chapter during the periods specified.

d. An individual who served in the active military of the Armed Forces of the United States and applies for civil service preference for veterans in this State on or after the date of enactment of P.L. , c. (pending before the Legislature as this bill) and is discharged or released under other than dishonorable conditions from that service, shall be a "disabled veteran" or "veteran" if the individual meets the criteria set forth in the definition of "disabled veteran" or "veteran" under 5 U.S.C s.2108 or as defined in subsection a. and b. of this section. The individual shall present to the Adjutant General of the Department of Military and Veterans' Affairs sufficient evidence of the record of service and receive a determination of status no later than eight days prior to the issuance of an employment list, for which that individual received a passing score on an examination.

(cf: P.L.2007, c.115, s.1)

2. This act shall take effect immediately.

STATEMENT

Under current law, a veteran is eligible for a civil service hiring preference, if the person served during specified dates or in specified locations, and in some instances, for a specific length of time.

This bill permits persons who served in the active military of the Armed Forces of the United States and apply for civil service preference on or after the date of enactment of the bill to be defined as a "veteran" or "disabled veteran" for civil service preference, under the federal or the State definitions of "veteran" or "disabled veteran." This bill will not impact the eligibility status of any veteran currently eligible for a civil service preference. The bill will expand the number of veterans eligible for a civil service preference.