

[First Reprint]

ASSEMBLY, No. 3566

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

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District 7 (Burlington)

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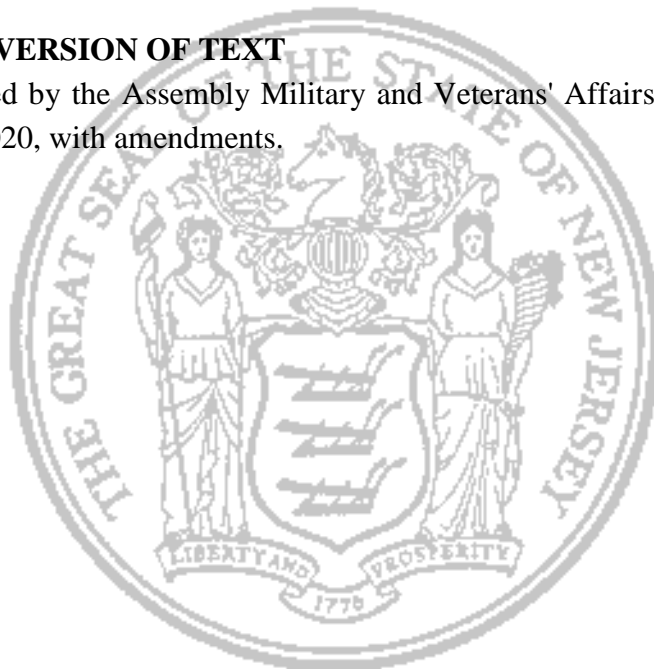
Assemblymen Dancer and Holley

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Military and Veterans' Affairs Committee on October 8, 2020, with amendments.



(Sponsorship Updated As Of: 10/19/2020)

1 AN ACT requiring the Department of Military and Veterans Affairs
2 ¹**【to notify certain veteran organizations of the names of deceased**
3 **veterans】** to provide certain burial and cremation information to
4 certain veteran organizations and county officers,¹ and amending
5 N.J.S.38A:3-6.

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

9
10 1. N.J.S.38A:3-6 is amended to read as follows:

11 38A:3-6. Under the direction of the Governor, the Adjutant
12 General shall:

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

18 (b) Be the request officer of the Department of Military and
19 Veterans' Affairs within the meaning of such term as defined in section
20 1 of P.L.1944, c.112 (C.52:27B-1).

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

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

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

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

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

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

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

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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AMV committee amendments adopted October 8, 2020.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (ff) Provide a monthly report to veteran organizations¹ and the
7 appropriate county officer¹ of the names of all¹ [known veterans who
8 passed away] persons buried or cremated in the State veteran
9 cemeteries¹ the previous month. As used in this section, “veteran
10 organization” means a veteran organization that qualifies as a section
11 501(c)(3) or 501(c)(19) tax exempt organization under the Internal
12 Revenue Code, or a federally chartered Veterans’ Service
13 Organization.¹ No burial or cremation information shall be released to
14 a veteran organization or county officer until a representative of the
15 person buried or cremated has signed a waiver permitting release of
16 the information.¹

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

18

19 2. This act shall take effect immediately.