ASSEMBLY, No. 4628

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 14, 2020

Sponsored by:
Assemblywoman AURA K. DUNN
District 25 (Morris and Somerset)

Co-Sponsored by:
Assemblymen McClellan and Simonsen

SYNOPSIS

Requires Adjutant General of DMVA create program for veterans to receive evaluation and treatment for PTSD and total brain injury.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 9/14/2020)

AN ACT concerning veterans and post-traumatic stress disorder and total brain injury, and amending N.J.S.38A:3-6.

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

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

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

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

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

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

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

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

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

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

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

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

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

(k) Appoint and remove officers and other personnel employed within the department, subject to the provisions of N.J.S.38A:3-8

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 <u>thus</u> is new matter.

and Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided.

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

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

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

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

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

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

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

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

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

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

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

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

(x) Administer the federally-funded training and rehabilitation programs, except for the administration of federally-funded education and training programs set forth in 38 U.S.C. s.36 et seq.

(y) Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.

(z) Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).

(aa) Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.

(bb) Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(cc) Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(dd) Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent,

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

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

(ff) Develop, in coordination with appropriate departments and agencies, a program to assist veterans in accessing evaluation and treatment for a post-traumatic stress disorder or total brain injury diagnosis related to military service. The program may include offering support and guidance, transportation, assistance filing disability compensation claims, assistance updating discharge status, health care and other services or programs available at the local, State and federal level for obtaining and addressing a post-traumatic stress disorder or total brain injury diagnosis. A "veteran" means a person who served in the Armed Forces of the United States or a Reserve component thereof, including the New Jersey National Guard.

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

2. This act shall take effect immediately.

STATEMENT

This bill requires the Adjutant General of the New Jersey Department of Military and Veterans Affairs to develop, in coordination with appropriate departments and agencies, a program to assist veterans in accessing evaluation and treatment for a post-traumatic stress disorder or total brain injury diagnosis related to military service. The program may include offering support and guidance, transportation, assistance filing disability compensation claims, assistance updating discharge status, health care and other services or programs available at the local, State and federal level for obtaining and addressing a post-traumatic stress disorder or total brain injury diagnosis.

Under the bill, "veteran" means a person who served in the Armed Forces of the United States or a Reserve component thereof, including the New Jersey National Guard.