

SENATE, No. 2057

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Senator Brown

SYNOPSIS

Requires DMVA notify certain veteran organizations of names of deceased veterans and those killed in action, and notify certain veteran organizations and county officers of names of persons buried in State veteran cemeteries.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/20/2020)

1 AN ACT requiring the Department of Military and Veterans' Affairs
2 to notify certain veteran organizations of the names of certain
3 veterans, and to provide certain burial information to certain
4 veteran organizations and county officers, 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
14 Military and Veterans' Affairs and in connection therewith make
15 and issue such regulations governing the work of the Department of
16 Military and Veterans' Affairs and the conduct of its employees as
17 may, in his 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
20 section 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
23 responsibility for recruiting, mobilization, administration, training,
24 discipline, equipping, supply and general efficiency thereof. He
25 may issue such regulations and delegate such command functions as
26 he shall deem necessary. The regulations so issued shall, insofar as
27 possible, conform to the federal laws and regulations concerning the
28 same.

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

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

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

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

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

44 (j) Exercise all of the functions, powers and duties heretofore
45 vested in the Director of the Division on Veterans' Programs and
46 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.

- 1 (k) Appoint and remove officers and other personnel employed
2 within the department, subject to the provisions of N.J.S.38A:3-8
3 and Title 11A of the New Jersey Statutes and other applicable
4 statutes, except as herein otherwise specifically provided.
- 5 (l) Have authority to organize and maintain an administrative
6 division and to assign to employment therein secretarial, clerical
7 and other assistants in the department or the Adjutant General's
8 Office for the purpose of providing centralized support to all
9 segments of the department, including budgeting, personnel
10 administration and oversight of equal opportunity programs.
- 11 (m) Perform, exercise and discharge the functions, powers and
12 duties of the department through such divisions as may be
13 established by this act or otherwise by law.
- 14 (n) Organize the work of the department in divisions not
15 inconsistent with the provisions of this act and in bureaus and other
16 organizational units as the Adjutant General may determine to be
17 necessary for efficient and effective operation.
- 18 (o) Adopt, issue and promulgate, in the name of the department,
19 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
20 (C.52:14B-1 et seq.), such rules and regulations as may be
21 authorized by law.
- 22 (p) Institute, or cause to be instituted, legal proceedings or
23 processes as necessary to properly enforce and give effect to any of
24 the Adjutant General's powers or duties.
- 25 (q) Make an annual report to the Governor and to the
26 Legislature of the department's operations, and render other reports
27 as the Governor shall from time to time request or as may be
28 required by law.
- 29 (r) Coordinate the activities of the department, and the several
30 divisions and other agencies therein, in a manner designed to
31 eliminate overlapping and duplicative functions.
- 32 (s) Integrate within the department, so far as practicable, all
33 staff services of the department and of several divisions and other
34 agencies therein.
- 35 (t) Request access to all relevant files and records of other State
36 agencies, which may be made available to the Adjutant General by
37 the head of a State agency, and request, subject to the permission of
38 the head of the State agency, any officer or employee therein to
39 provide information as necessary to assist in the performance of the
40 functions of the department.
- 41 (u) Supervise and operate the New Jersey Veterans' Memorial
42 Home-Menlo Park, the New Jersey Veterans' Memorial Home-
43 Vineland, the New Jersey Veterans' Memorial Home-Paramus and
44 the New Jersey Veterans' Memorial Cemetery-Arneytown.
- 45 (v) Supervise and operate the liaison office and the field offices
46 which serve the federal Veterans' Affairs Medical Centers.
- 47 (w) Make application for federal grants and programs, other than
48 education grants or funds.

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

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

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

8 (ff) Provide a monthly report to veteran organizations of the
9 names of all known veterans who were killed in action or passed
10 away the previous month. As used in this section, "veteran
11 organization" means a veteran organization that qualifies as a
12 section 501(c)(3) or 501(c)(19) tax exempt organization under the
13 Internal Revenue Code, or a federally chartered Veterans' Service
14 Organization.

15 (gg) Provide a monthly report to veteran organizations and the
16 appropriate county officer of the names of all persons buried or
17 cremated in the State veteran cemeteries the previous month.
18 "Veteran organization" shall have the same meaning as used in
19 subsection (ee) of this section. No burial or cremation information
20 shall be released to a veteran organization or county officer until a
21 representative of the person buried or cremated has signed a waiver
22 permitting release of the information.

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

24

25 2. This act shall take effect immediately.

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STATEMENT

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30 This bill requires the Department of Military and Veterans Affairs
31 to provide a monthly report to veteran organizations of the names of
32 all known veterans who passed away or were killed in action the
33 previous month, and provide a monthly report to veteran organizations
34 and counties of the names of persons buried or cremated in State
35 veteran cemeteries the previous month. The bill also requires that a
36 representative of the person buried or cremated in a State veteran
37 cemetery sign a waiver before the information may be released.

38 Veteran organization means a veteran organization that qualifies as
39 a section 501(c)(3) or 501(c)(19) tax exempt organization under the
40 Internal Revenue Code, or a federally chartered Veterans' Service
41 Organization.