

SENATE, No. 3480

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 23, 2021

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Concerns definition of veteran for civil service hiring preference.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning civil service hiring 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. 11A:5-1. As used in this chapter:

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

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

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

38 (2) World War II, on or after September 16, 1940, who shall have
39 served **at least 90 days** beginning on or before December 31, 1946
40 in **such** active service, exclusive of any period of assignment for
41 a course of education or training under the Army Specialized
42 Training Program or the Navy College Training Program, which
43 course was a continuation of a civilian course and was pursued to
44 completion, or as a cadet or midshipman at one of the service
45 academies; except that any person receiving an actual service-

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 incurred injury or disability shall be classed a veteran whether or not
2 that person has completed the 90-day service];

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

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

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

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

1 actual service-incurred injury or disability shall be classed as a
2 veteran whether or not that person has completed the 14 days' service
3 as herein provided;】

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

15 (8) Panama peacekeeping mission, on or after December 20, 1989
16 or the date of inception of that mission, as proclaimed by the
17 President of the United States or Congress, whichever date of
18 inception is earliest, who has served in Panama or in another area in
19 the region, or on board any ship 【actively engaged】 in 【patrolling】
20 the territorial waters of that nation 【for a period, continuous or in the
21 aggregate, of at least 14 days】 commencing on or before January 31,
22 1990 or the date of termination of that mission, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 termination is the latest, in such active service; 【provided, that any
25 person receiving an actual service-incurred injury or disability shall
26 be classed as a veteran whether or not that person has completed the
27 14 days' service as herein provided】;

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

41 (10) Operation Northern Watch and Operation Southern Watch,
42 on or after August 27, 1992, or the date of inception of that operation,
43 as proclaimed by the President of the United States, Congress or
44 United States Secretary of Defense, whichever date of inception is
45 earliest, who served in the theater of operation, including in the
46 Arabian peninsula and the Persian Gulf, and in 【direct】 support of

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

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

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

41 (14) Operation "Enduring Freedom", on or after September 11,
42 2001, who served in **【a theater of operation and in direct】** support of
43 that operation **【for a period, continuously or in the aggregate, of at**
44 **least 14 days】** in such active service commencing on or before the
45 date the President of the United States or the United States Secretary
46 of Defense designates as the termination date of that operation;

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' service**
4 **as herein provided;】** and

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

17 c. **【"War service" means service by a veteran in any war or**
18 **conflict described in this chapter during the periods specified.】**
19 Deleted by amendment, P.L. , c. (pending before the Legislature as
20 this bill)

21 d. "Disabled veteran" and "Veteran" also means an individual
22 who served in the active military of the Armed Forces of the United
23 States, was discharged or released under other than dishonorable
24 conditions from that service, applies for civil service preference for
25 veterans in this State on or after the date of enactment of P.L. , c.
26 (pending before the Legislature as this bill), and meets the criteria set
27 forth in the definition of "disabled veteran" or "veteran" under 5
28 U.S.C s.2108.

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

30
31 2. This act shall take effect on the 60th day after the date of
32 enactment.
33

34 35 STATEMENT 36

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

40 This bill changes the definition of veteran for civil service hiring
41 preference by removing the requirement of service for specific
42 lengths of time and broadens the specified locations for eligibility.

43 This bill also adds a definition of disabled veteran and veteran to
44 include persons who served in the active military of the Armed
45 Forces of the United States, was discharged or released under other
46 than dishonorable conditions, applies for civil service preference on
47 or after the date of enactment of this bill, and meets the criteria set

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1 forth in the definition of disabled veteran or veteran under federal
2 law.

3 This bill will not impact the eligibility status of any veteran
4 currently eligible for a civil service preference. The bill will expand
5 the number of veterans eligible for a civil service preference.

6 For veterans who would be eligible under federal law pursuant to
7 this bill but who did not serve in time of war or conflict, the changes
8 provided by this bill will apply only if an amendment to the State
9 constitution is approved by the voters to permit such veterans to
10 receive the benefit.