

SENATE, No. 1760

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 28, 2022

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

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 introduced.



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1 AN ACT requiring the Department of Military and Veterans' Affairs
2 to provide certain burial and cremation information to certain
3 veteran organizations and county officers, and amending
4 N.J.S.38A:3-6.

5

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

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

10 38A:3-6. Under the direction of the Governor, the Adjutant
11 General shall:

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

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

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

21 (d) Command the organized militia of the State, with
22 responsibility for recruiting, mobilization, administration, training,
23 discipline, equipping, supply and general efficiency thereof. He
24 may issue such regulations and delegate such command functions as
25 he shall deem necessary. The regulations so issued shall, insofar as
26 possible, conform to the federal laws and regulations concerning the
27 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,
34 or in any other lawful manner, in the name of and for the use of the
35 State of New Jersey, all those parcels of land as shall be necessary
36 for 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
42 federal 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.

46 (k) Appoint and remove officers and other personnel employed

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.

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1 within the department, subject to the provisions of N.J.S.38A:3-8
2 and Title 11A of the New Jersey Statutes and other applicable
3 statutes, except as herein otherwise specifically provided.

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

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

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

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

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

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

28 (r) Coordinate the activities of the department, and the several
29 divisions and other agencies therein, in a manner designed to
30 eliminate 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
33 agencies 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
36 the head of a State agency, and request, subject to the permission of
37 the head of the State agency, any officer or employee therein to
38 provide information as necessary to assist in the performance of the
39 functions 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
43 the 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.

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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,

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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 United
4 States Military Academy, United States Naval Academy, United
5 States Coast Guard Academy, United States Merchant Marine
6 Academy, or United States Air Force Academy, and issue a New
7 Jersey State flag to that individual.

8 (ff) Provide a monthly report to veteran organizations and the
9 appropriate county officer of the names of all persons buried or
10 cremated in the State veteran cemeteries the previous month. As
11 used in this section, "veteran organization" means a veteran
12 organization that qualifies as a section 501(c)(3) or 501(c)(19) tax
13 exempt organization under the Internal Revenue Code, or a
14 federally chartered Veterans' Service Organization. No burial or
15 cremation information shall be released to a veteran organization or
16 county officer until a representative of the person buried or
17 cremated has signed a waiver permitting release of the information.

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

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20 2. This act shall take effect immediately.

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STATEMENT

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25 This bill requires the Department of Military and Veterans
26 Affairs to provide a monthly report to veteran organizations and
27 counties of the names of persons buried or cremated in State veteran
28 cemeteries the previous month. The bill also requires that a
29 representative of the person buried or cremated in a State veteran
30 cemetery sign a waiver before the information may be released.

31 Veteran organization means a veteran organization that qualifies
32 as a section 501(c)(3) or a 501(c)(19) tax-exempt organization
33 under the Internal Revenue Code, or a federally chartered Veterans'
34 Service Organization.