

LEGISLATIVE HISTORY CHECKLIST

NJSA: 38A:3-6 et al

(Veterans--health care facilities-- establish advisory commissions)

LAWS OF: 1989

CHAPTER: 162

Bill No: A2799

Sponsor(s): Cooper and Mazur

Date Introduced: March 21, 1988

Committee: Assembly: Veterans Affairs & Defense

Senate: State Government

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: May 16, 1988

Senate: June 19, 1989

Date of Approval: August 11, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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[SECOND REPRINT]  
ASSEMBLY, No. 2799

STATE OF NEW JERSEY

INTRODUCED MARCH 21, 1988

By Assemblywoman COOPER and Assemblyman MAZUR

2 AN ACT concerning certain <sup>2</sup>[veterans] veterans'<sup>2</sup> facilities and  
the <sup>2</sup>[veterans] veterans'<sup>2</sup> cemetery in this State, <sup>2</sup>[amending  
R.S.30:1-7, N.J.S.38A:3-6 and P.L.1987, c.444,]<sup>2</sup>  
4 supplementing Title 38A of the New Jersey Statutes and  
repealing sections 1 through 16 of P.L.1971, c.344 and section  
6 19 of P.L.1987, c.444.

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

10 1. <sup>2</sup>[(New section)]<sup>2</sup> As used in this act, unless otherwise  
indicated by the context:

12 a. "Adjutant General" means the Adjutant General of the  
Department of <sup>2</sup>Military and<sup>2</sup> Veterans' Affairs <sup>2</sup>[and Defense]<sup>2</sup>.

14 b. "Advisory council" means the advisory council of a  
<sup>2</sup>[veterans] veterans'<sup>2</sup> facility or of the <sup>2</sup>[veterans] veterans'<sup>2</sup>  
16 cemetery.

c. "Member" means a person admitted to and receiving care in  
18 a <sup>2</sup>[veterans] veterans'<sup>2</sup> facility.

d. "Veteran" means a person who has been honorably  
20 discharged from the active military service of the United States.

e. <sup>2</sup>[Veterans] Veterans'<sup>2</sup> facility" means any home,  
22 institution, hospital, or part thereof, the admission to which is  
under the jurisdiction of the Department of <sup>2</sup>Military and<sup>2</sup>  
24 Veterans' Affairs <sup>2</sup>[and Defense]<sup>2</sup>.

2. <sup>2</sup>[(New section)]<sup>2</sup> Subject to the provisions of this act, the  
26 Adjutant General of the Department of <sup>2</sup>Military and<sup>2</sup> Veterans'  
Affairs <sup>2</sup>[and Defense]<sup>2</sup> is authorized, directed and empowered to  
28 take such actions, and to issue such reasonable rules and  
regulations, as may be necessary for carrying out the purposes of  
30 this act, including specifically the following:

a. To provide standards and procedures for application and  
32 determination of eligibility for admission to <sup>2</sup>[veterans]

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:

<sup>1</sup> Assembly AVA committee amendments adopted May 9, 1988.

<sup>2</sup> Senate SSG committee amendments adopted May 22, 1989.

veterans'<sup>2</sup> facilities;

2 b. To establish standards and methods for designating the  
3 veterans'<sup>2</sup> facility in which an eligible person shall  
4 receive care and treatment consistent with available services and  
individual needs and circumstances;

6 c. To establish standards of care, treatment and discipline  
governing the relationships between the veterans'<sup>2</sup>  
8 facilities and persons admitted thereto;

d. To establish standards and procedures for determination and  
10 payment of such amounts, if any, which members shall be  
required to contribute toward the cost of care and treatment in  
12 accordance with their financial ability, basing such determination  
upon a formula of financial ability to pay promulgated annually,  
14 provided, however, that the amount so determined shall first be  
approved by the Director of the Division of Budget and  
16 Accounting in the Department of the Treasury;

e. To negotiate and enter into agreements or contracts with  
18 the Veterans Administration or any other appropriate State or  
Federal agency, and to organize the work of the veterans'<sup>2</sup>  
20 facilities, giving due regard to the opinion of the  
advisory councils, in any manner consistent with law to comply  
22 with the reasonable requirements of such State and Federal  
agencies, in order to secure the maximum financial assistance  
24 and services for carrying out the purposes of this act.

3. <sup>2</sup>[(New section)]<sup>2</sup> All applications for admission to a  
26 veterans facility shall be made to, and in the manner and form  
prescribed by, the Adjutant General. The applicant shall provide  
28 a statement that he will accept placement in the facility  
designated by the Adjutant General, and that he will abide by the  
30 rules, regulations and discipline of the facility to which admitted.

4. <sup>2</sup>[(New section)]<sup>2</sup> The following persons, if they are without  
32 sufficient financial ability to provide for their support and  
necessary care in the community, may be admitted to a veterans  
34 facility:

a. A disabled veteran who has been a resident of New Jersey  
36 for at least two years prior to the date of application;

b. The <sup>1</sup>[wife] spouse<sup>1</sup> of any person who has been admitted to  
38 a veterans facility, provided that <sup>1</sup>[she] the spouse<sup>1</sup> is not less  
than 50 years of age and has been married to such person for a

period of not less than 10 years;

2 c. The <sup>1</sup>[widow] surviving spouse<sup>1</sup> of a person who died an  
4 honorable death while in the active military service of the United  
States, or who was a disabled veteran at the time of <sup>1</sup>[his]<sup>1</sup>  
6 death, provided that <sup>1</sup>[she] the surviving spouse<sup>1</sup> was <sup>1</sup>[his wife]  
the person's spouse<sup>1</sup> at the time of <sup>1</sup>[his] the person's<sup>1</sup> service  
8 or was married to <sup>1</sup>[him] the person<sup>1</sup> not less than 10 years prior  
to the date of application and has not married since <sup>1</sup>[his] the  
person's<sup>1</sup> death, and provided that <sup>1</sup>[she] the surviving spouse<sup>1</sup>  
10 has been a resident of New Jersey for at least two years prior to  
the date of application; and

12 d. The <sup>1</sup>[mother] parent<sup>1</sup> of a person who was a resident of  
New Jersey at the time of entry into, and who died an honorable  
14 death in time of war or emergency while in, the active military  
service of the United States, provided that <sup>1</sup>[she] the parent<sup>1</sup> has  
16 been a resident of New Jersey for at least two years prior to the  
date of application.

18 This section shall not be construed to prevent a veteran who  
actually served in a New Jersey military organization, and who is  
20 qualified for admission except for the required period of State  
residence, from being admitted to a veterans facility, but  
22 preference shall be given to persons who have been residents of  
the State for a period of at least two years prior to application.

24 5. <sup>2</sup>[(New section)]<sup>2</sup> Any disabled veteran who is in distress  
may be admitted to a veterans facility for a temporary period in  
26 accordance with rules and regulations promulgated by the  
Adjutant General.

28 6. <sup>2</sup>[(New section)]<sup>2</sup> A person admitted to a veterans facility  
shall be entitled to all of its benefits and be furnished with  
30 clothing, subsistence, medical and surgical attendance, necessary  
to promote his health and welfare in accordance with the rules  
32 and regulations of the Adjutant General.

34 7. <sup>2</sup>[(New section)]<sup>2</sup> Any member may be removed from a  
veterans facility on being restored to ability to promote his own  
support and welfare in the community, or for immorality, or for  
36 fraud or willful misrepresentation, or refusal to abide by the  
rules, regulations and discipline of the veterans facility.

38 8. <sup>2</sup>[(New section)]<sup>2</sup> The Adjutant General may from time to  
time request that the Commissioner of the Department of Human

2 Services designate any State hospital for the care of the mentally  
3 ill, or a part thereof, as a treatment unit for veterans who  
4 require such care and who are eligible for admission to a veterans  
5 facility. Upon making such designation the Commissioner of the  
6 Department of Human Services shall cause to be filed with the  
7 Adjutant General and the Secretary of State a certificate setting  
8 forth the fact thereof, a description of the precise treatment unit  
9 so designated and its location.

10 9. <sup>2</sup>[(New section)]<sup>2</sup> Admission of a veteran to a treatment  
11 unit as designated pursuant to section 8 of P.L. ...., c. .... (C.  
12 ..... ) (now pending before the Legislature as this bill) shall  
13 require:

14 a. A determination by the Department of Human Services that  
15 such veteran is mentally ill in accordance with the appropriate  
16 provisions of Title 30 of the Revised Statutes; and

17 b. A determination by the Adjutant General that such veteran  
18 is eligible for admission to a veterans facility.

19 A veteran may be admitted to such treatment unit upon  
20 voluntary application, commitment or transfer.

21 10. <sup>2</sup>[(New section)]<sup>2</sup> The Adjutant General is authorized and  
22 empowered to accept and receive funds from the United States  
23 Government or any agency thereof, and to accept and receive  
24 payments from all members, their family, relatives and friends,  
25 towards the cost of care and treatment as provided in the rules  
26 and regulations pertaining thereto.

27 11. <sup>2</sup>[(New section)]<sup>2</sup> There is created within the Division of  
28 Veterans' Administrative Services in the Department of  
29 <sup>2</sup>Military and <sup>2</sup>Veterans' Affairs <sup>2</sup>[and Defense]<sup>2</sup> four advisory  
30 councils to be known as:

31 a. The New Jersey <sup>2</sup>[Veterans] Veterans'<sup>2</sup> Memorial Home  
32 Advisory Council--Menlo Park;

33 b. The New Jersey <sup>2</sup>[Veterans] Veterans'<sup>2</sup> Memorial Home  
34 Advisory Council--Vineland;

35 c. The New Jersey <sup>2</sup>[Veterans] Veterans'<sup>2</sup> Memorial Home  
36 Advisory Council--Paramus; and

37 d. The New Jersey <sup>2</sup>[Veterans] Veterans'<sup>2</sup> Memorial  
38 Cemetery Advisory Council--Arneytown.

Each advisory council shall consist of seven members, at least  
five of whom are veterans, to be appointed by the Adjutant

General with the approval of the Governor. The term of each  
2 council member, except for the initial members, shall be three  
years commencing on July 1 and ending on June 30 of the third  
4 year thereafter, and any vacancy shall be filled for the unexpired  
term only.

6 The initial membership of each <sup>2</sup>[veterans] veterans'<sup>2</sup> facility  
advisory council, other than the New Jersey <sup>2</sup>[Veterans]  
8 Veterans'<sup>2</sup> Memorial Cemetery Advisory Council-Arneytown,  
shall include four of the persons serving on the effective date of  
10 this 1988 amendatory and supplementary act as members of the  
Veterans' Facilities Council. The New Jersey <sup>2</sup>[Veterans]  
12 Veterans'<sup>2</sup> Memorial Cemetery Advisory Council-Arneytown  
shall include three of the persons serving on the effective date of  
14 this 1988 amendatory and supplementary act as members of the  
Veterans' Facilities Council. All of the members who served  
16 originally on the Veterans' Facilities Council and who serve  
subsequently on an advisory council shall serve for the remainder  
18 of the term for which they had been appointed to the Veterans'  
Facilities Council. Additional and subsequent appointments shall  
20 be made in such manner that the terms of either two or three of  
the members of each advisory council shall expire on June 30th of  
22 each year.

The members of the advisory council shall receive no  
24 compensation for their services but shall be reimbursed for actual  
expenditures incurred in the performance of duty. They are  
26 subject to removal by the Adjutant General at any time for good  
and sufficient cause.

28 12. <sup>2</sup>[(New section)]<sup>2</sup> Subject to the provisions of this act and  
under general policies established by the Adjutant General, the  
30 advisory councils of the veterans facilities shall:

32 a. Recommend standards and procedures for application and  
termination of eligibility for admission to veterans facilities;

34 b. Recommend standards and methods for designating the  
veterans facility in which an eligible person shall receive care  
and treatment consistent with available services and individual  
36 needs and circumstances;

38 c. Recommend standards of care, treatment and discipline  
governing the relationships between the veterans facilities and  
persons admitted thereto; and

2 d. Recommend standards and procedures for determination and  
3 payment of amounts which members may be required to  
4 contribute toward the cost of care and treatment in accordance  
5 with their financial ability.

6 13. <sup>2</sup>[(New section)]<sup>2</sup> Subject to the provisions of this act and  
7 under general policies established by the Adjutant General, the  
8 New Jersey Veterans Memorial Cemetery Advisory  
9 Council-Arneytown shall:

10 a. Recommend standards and procedures for application and  
11 determination of eligibility for interment in the veterans  
12 cemetery; and

13 b. Advise the Adjutant General regarding operating policies  
14 and procedures as they apply to veterans' family members,  
15 funeral directors, and the relationship of the veterans cemetery  
16 with the other veterans facilities.

17 14. <sup>2</sup>[(New section)]<sup>2</sup> Moneys, choses in action and effects  
18 deposited by a member in trust with the veterans facility and  
19 unclaimed at the death of the member, dying intestate, shall be  
20 deemed to be the property of the veterans facility. Such  
21 property shall be held in trust for three years following the death  
22 of the depositor, with power to invest the funds and to use the  
23 income for the benefit of the members as the advisory council of  
24 the veterans facility and the Adjutant General may deem most  
25 advisable.

26 Upon claim made within three years following the death of the  
27 depositor and sustained by legal proof, the sufficiency of which  
28 shall be determined by the advisory council of the veterans  
29 facility and the Adjutant General, such property shall be paid  
30 over to the claimant entitled thereto upon acknowledging,  
31 executing and delivering a proper release and discharge.

32 Such property remaining unclaimed three years after the death  
33 of its depositor shall be deemed to be the property of and subject  
34 to the absolute control and disposal of the veterans facility, to be  
35 used for such purposes as the advisory council of the veterans  
36 facility and the Adjutant General may deem most advisable.

37 15. <sup>2</sup>[(New section)]<sup>2</sup> All the functions, powers and duties of  
38 the Commissioner of the Department of Human Services in  
39 regard to the New Jersey Veterans Memorial Home for Disabled  
40 Soldiers at Menlo Park or the New Jersey Memorial Home for

2 Disabled Soldiers, Sailors, Marines and Their Wives and Widows at  
Vineland are hereby transferred to and vested in the Adjutant  
General.

4 16. <sup>2</sup>[(New section)]<sup>2</sup> Whenever the term "Board of Managers  
of the New Jersey Memorial Home for Disabled Soldiers at Menlo  
6 Park" or the term "Board of Managers of the New Jersey  
Memorial Home for Disabled Soldiers, Sailors, Marines and Their  
8 Wives and Widows at Vineland" occurs or any reference is made  
thereto in any law, contract or document, the same shall be  
10 deemed to mean or refer to the Adjutant General.

<sup>2</sup>[17. R.S.30:1-7 is amended to read as follows:

12 30:1-7. The charitable, hospital, relief and training institutions  
and noninstitutional agencies of this State, within the meaning of  
14 this Title, shall include the following, and, as well, any institution  
established hereafter for any similar purpose, as now established  
16 and as the same are to be hereafter maintained and operated  
pursuant to law:

18 Trenton Psychiatric Hospital,  
Greystone Park Psychiatric Hospital,  
20 Marlboro Psychiatric Hospital,  
Ancora Psychiatric Hospital,  
22 Senator Garrett W. Hagedorn Center for Geriatrics,  
The Forensic Psychiatric Hospital,  
24 North Princeton Developmental Center,  
North Jersey Developmental Center,  
26 New Lisbon Developmental Center,  
Woodbine Developmental Center,  
28 Vineland Developmental Center,  
Woodbridge Developmental Center,  
30 Hunterdon Developmental Center,  
Developmental Center at Ancora,  
32 [New Jersey Memorial Home for Disabled Soldiers at Menlo  
Park,  
34 New Jersey Memorial Home for Disabled Soldiers, Sailors,  
Marines and their Wives and Widows at Vineland,]  
36 Diagnostic Center at Menlo Park,  
Arthur Brisbane Child Center at Allaire,  
38 Board of Public Welfare,  
Commission for the Blind and Visually Impaired.

2 The correctional institutions of this State, within the meaning  
of this Title, shall include the following and, as well, any  
institution established hereafter for any similar purpose, as now  
4 established and as the same are to be hereafter maintained and  
operated pursuant to law:

6 New Jersey State Prison,  
East Jersey State Prison,  
8 Bayside State Prison,  
Riverfront State Prison,  
10 Northern State Prison,  
Garden State Reception and Youth Correctional Facility,  
12 Albert C. Wagner Youth Correctional Facility,  
Edna Mahan Correctional Facility for Women,  
14 Mountainview Youth Correctional Facility,  
New Jersey Training School for Boys,  
16 Lloyd McCorkle Training School for Boys and Girls.

(cf: P.L.1987, c.304, s.1)]<sup>2</sup>

18 <sup>2</sup>[18. N.J.S.38A:3-6 is amended to read as follows:

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

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

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

(c) Supervise, administer, coordinate and command State civil  
30 defense and disaster control activities.

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

38 (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 Veterans' Affairs and Defense.

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

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

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

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

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

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

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

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

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

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

(p) Institute, or cause to be instituted, legal proceedings or

2 processes as necessary to properly enforce and give effect to any  
of the Adjutant General's powers or duties.

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

8 (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.

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

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

(u) Supervise and operate the [State veterans' homes and  
20 cemeteries] New Jersey Veterans Memorial Home—Menlo Park,  
the New Jersey Veterans Memorial Home—Vineland, the New  
22 Jersey Veterans Memorial Home—Paramus and the New Jersey  
Veterans Memorial Cemetery—Arneytown.

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

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

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

(y) Provide current information to the general public on State  
32 and federal veterans' programs and benefits.

34 (cf: P.L.1987, c.444, s.8)]<sup>2</sup>

36 <sup>2</sup>[19. Section 24 of P.L.1987, c.444 is amended to read as  
follows:

38 24. The New Jersey [Veterans'] Veterans Memorial Cemetery  
[At]—Arneytown, built in part by funds appropriated pursuant to  
P.L.1985, c.149, shall be administered by the Department of

Veterans' Affairs and Defense.

2 (cf: P.L.1987, c.444, s.24)]<sup>2</sup>

4 <sup>2</sup>[20. Section 30 of P.L.1987, c.444 (C.38A:3-2b) is amended to read as follows

30. The Division of Veterans' Administrative Services shall:

6 a. Supervise and operate the [State Veterans' homes at] New Jersey Veterans Memorial Home-Menlo Park, the New Jersey Veterans Memorial Home-Vineland and the New Jersey Veterans Memorial Home-Paramus; and

10 b. Supervise and operate the New Jersey [Veterans'] Veterans Memorial Cemetery [at]-Arneytown.

12 (cf: P.L.1987, c.444, s.30)]<sup>2</sup>

14 <sup>2</sup>[21.] 17.<sup>2</sup> Sections 1 through 16 of P.L.1971, c.344 (C.30:6AA-1 through 16) and section 19 of P.L.1987, c.444 are repealed.

16 <sup>2</sup>[22.] 18.<sup>2</sup> This act shall take effect immediately.

18

#### VETERANS

20 Health Care Facilities and Providers

22 Abolishes the Veterans' Facilities Council, establishes four advisory councils, and specifies the functions, powers and duties  
24 of the Adjutant General.

1

## STATEMENT

3 This bill abolishes the Veterans Facilities Council and replaces  
 it with a seven-member advisory council for each of the three  
 5 veterans nursing facilities and the veterans cemetery at  
 Arneytown. Additionally, the bill: a) changes the name of two  
 7 current nursing facilities from the New Jersey Memorial Home  
 for Disabled Soldiers at Menlo Park and the New Jersey Memorial  
 9 Home for Disabled Soldiers, Sailors, Marines and their Wives and  
 Widows at Vineland to the New Jersey Veterans Memorial  
 11 Home-Menlo Park and the New Jersey Veterans Memorial  
 Home-Vineland, respectively; and b) officially names the State  
 13 veterans' cemetery the New Jersey Veterans Memorial  
 Cemetery-Arneytown.

15 Finally, the bill acknowledges the creation of the Department  
 of Veterans' Affairs and Defense, pursuant to P.L. 1987, c. 444,  
 17 and the transfer of responsibility for the administration of  
 veterans nursing homes from the Department of Human Services  
 19 to the new department by replacing the Commissioner of Human  
 Services with the Adjutant General of the Department of  
 21 Veterans' Affairs and Defense wherever pertinent in those  
 statutes which govern the administration of veterans nursing  
 23 homes.

25

## VETERANS

27

## Health Care Facilities and Providers

29 Abolishes the Veterans Facilities Council, establishes an advisory  
 council for each veterans facility and the veterans cemetery,  
 31 changes the name of two veterans nursing homes and updates law  
 regarding veterans.

*A2707*

ASSEMBLY VETERANS AFFAIRS AND DEFENSE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2799**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 9, 1988

The Assembly Veterans Affairs and Defense Committee reports favorably and with committee amendments Assembly, No. 2799.

This bill abolishes the Veterans Facilities Council and replaces it with a seven-member advisory council for each of the three veterans nursing facilities and the veterans cemetery at Arneytown.

Additionally, the bill: (1) changes the name of two current nursing facilities from the New Jersey Memorial Home for Disabled Soldiers at Menlo Park and the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows at Vineland to the New Jersey Veterans Memorial Home--Menlo Park and the New Jersey Veterans Memorial Home--Vineland, respectively; (2) officially names the State veterans' cemetery the New Jersey Veterans Memorial Cemetery--Arneytown; and (3) extends to husbands and fathers the same rights concerning admission to a veterans' facility presently given to wives and mothers of disabled veterans and those who die in war while in active service.

The bill also acknowledges the creation of the Department of Veterans' Affairs and Defense, pursuant to P.L. 1987, c. 444, and the transfer of responsibility for the administration of veterans nursing homes and the veterans cemetery from the Department of Human Services to the new department by replacing the Commissioner of Human Services with the Adjutant General of the Department of Veterans' Affairs and Defense wherever pertinent in those statutes which govern the administration of veterans nursing homes and the veterans cemetery.

COMMITTEE AMENDMENTS

The committee amended the bill to make gender-neutral the language in the bill concerning admission to a veterans' facility. As a result, such admission would be applicable to a husband as well as a wife of a disabled veteran and to a husband and a father as well as a wife and a mother of a person who died in war while in active service.

SENATE STATE GOVERNMENT, FEDERAL  
AND INTERSTATE RELATIONS AND  
VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

**ASSEMBLY, No. 2799**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 22, 1989

The Senate State Government, Federal and Interstate Relations and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 2799 (1R).

This bill abolishes the Veterans' Facilities Council and replaces it with four seven-member advisory councils for the three veterans' nursing facilities and the veterans' cemetery. Council members shall be appointed to three year terms by the Adjutant General of the Department of Military and Veterans' Affairs with the approval of the Governor. At least five of the seven council members shall be veterans. Council members shall receive no compensation but shall be reimbursed for expenditures incurred in the performance of their duties. The councils shall recommend standards for admission and care at veterans' facilities and eligibility for interment in the veterans' cemetery.

The bill provides the Adjutant General with a broad grant of authority to administer veterans' facilities, including establishing standards for admission to and treatment at these facilities as well as for payment of the cost of care. All functions, powers and duties formerly lodged with the Commissioner of the Department of Human Services regarding these facilities are transferred to the Adjutant General and provisions of the law which gave the Commissioner of Human Services authority over veterans' facilities are repealed.

The Adjutant General is authorized to receive funds from the United States Government and to receive payments from a person admitted to a facility, or from their family, relatives and friends, for the cost of care. The bill stipulates that certain persons lacking sufficient financial ability, such as disabled veterans and specified surviving spouses or parents, may be admitted to a veterans' facility. It also provides for treatment of mentally ill veterans in a State hospital designated by the Commissioner of Human Services.

The bill provides that moneys deposited with a veterans' facility by a person receiving care at the facility, dying intestate, shall be deemed to be the property of the veterans' facility if unclaimed for three years after the death.

#### COMMITTEE AMENDMENTS

The committee amended the bill to omit amendatory sections which have already been statutorily revised to incorporate the proposed changes and to update the reference to the name of the department.