

38A: 1-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 38A: 1-1 et al

(Department of
Veterans Affairs
renamed as
Department of
Military &
Veterans Affairs)

LAWS OF: 1988

CHAPTER: 138

Bill No: A3265

Sponsor(s): Genova

Date Introduced: May 23, 1988

Committee: Assembly: Veterans Affairs & Defense

Senate: State Government, Federal & Interstate Relations &
Veterans Affairs

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

Date of Passage: Assembly: June 23, 1988

Senate: October 3, 1988

Date of Approval: October 12, 1988

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

P.L. 1988, CHAPTER 138, approved October 12, 1988
1988 Assembly No. 3265

1 **AN ACT** renaming the Department of Veterans' Affairs and
2 **Defense** as the Department of Military and Veterans' Affairs
3 **and revising and repealing parts of the statutory law.**

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

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

8 38A:1-1. The following definitions apply to this Title:

9 (a) "Militia" means all the military forces of this State,
10 whether organized, or active or inactive.

11 (b) "National Guard" means the Army National Guard and the
12 Air National Guard.

13 (c) "Army National Guard" means that part of the organized
14 militia that is a land force, is trained and has its officers
15 appointed under the sixteenth clause of section 8, Article I of the
16 Constitution of the United States, is organized, armed and
17 equipped wholly or partly at Federal expense, and is Federally
18 recognized.

19 (d) "Army National Guard of the United States" is the reserve
20 component of the Army of the United States all of whose
21 members are members of the Army National Guard.

22 (e) "Air National Guard" means that part of the organized
23 militia that is an air force, is trained and has its officers
24 appointed under the sixteenth clause of section 8, Article I, of
25 the Constitution of the United States, is organized, armed and
26 equipped wholly or partly at Federal expense, and is Federally
27 recognized.

28 (f) "Air National Guard of the United States" means the
29 reserve component of the Air Force of the United States all of
30 whose members are members of the Air National Guard.

31 (g) "Armed forces" means the land, air and sea forces
established by State or Federal laws, as applicable.

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 (h) "Military" means any part of or all of the armed forces.
- 3 (i) "Active duty" means full-time duty in the active military
service, other than active duty for training. State service is
meant unless Federal service is specified.
- 5 (j) "Active duty for training" means full-time duty in the
active military service for training purposes. State service is
7 meant unless Federal service is specified.
- 9 (k) "Inactive duty training" means duty performed by a
member of the organized militia other than active duty or active
duty for training.
- 11 (l) "Officer" means commissioned officer or warrant officer.
- 13 (m) "Grade" means a step or degree, in a graduated field of
office or military rank, that is established and designated as a
grade by law or regulation.
- 15 (n) "Rank" means the order of precedence among members of
the armed forces.
- 17 (o) "Permanent duty status" means full-time employment of a
member of the organized militia ordered to active duty by the
19 Governor to serve in the Department of [Defense] Military and
Veterans' Affairs.
- 21 (p) "Shall" is used in an imperative sense.
- 23 (q) "Will" is used in a permissive sense.
- 25 (r) "Regulations" means the rules and regulations on the
governing and training of the militia.
- 27 (s) "Federal service" means duty in the active service of the
United States.
- 29 (t) "Armory" means any building or training installation
utilized by the organized militia.
- 31 (cf: N.J.S. 38A:1-1)
- 33 2. N.J.S. 38A:2-2 is amended to read as follows:
- 35 38A:2-2. The staff of the Governor shall consist of:
- 37 (a) Executive: The Adjutant General of the State Department
of [Defense] Military and Veterans' Affairs.
- 39 (b) Personnel: Such aides as may be appointed or detailed by
the Governor from among the officers of the organized militia, in
a grade not higher than the one held in the organized militia or in
federal service, whose term of office, unless sooner terminated,
shall expire with that of the Governor who shall have appointed
or detailed them.
- (cf: P.L. 1984, c. 181, s. 3)

1 3. Section 2 of P.L. 1987, c. 444 (C. 38A:3-1.2) is amended to
read as follows:

3 2. As used in chapter 3 of Title 38A of the New Jersey
Statutes:

5 a. "Department" means the Department of Military and
Veterans' Affairs [and Defense] established pursuant to N.J.S.
7 38A:3-1 et seq. as amended [by this 1987 amendatory and
supplementary act];

9 b. "Veteran" means any person who has served in any branch
of the armed forces of the United States for at least 90 days,
11 except that if the term "veteran" is defined differently in any of
the statutes cited by this act or in any federal statute, that
13 definition shall be applicable for the purposes of those statutes.
(cf: P.L. 1987, c. 444, s. 2)

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

17 38A:3-1. The Department of Military and Veterans' Affairs
[and Defense] shall be a principal department in the executive
branch of the State Government.

19 (cf: P.L. 1987, c. 444, s. 3)

5. Section 4 of P.L. 1987, c. 444 is amended to read as follows:

21 4. The Division of Veterans' Programs and Special Services in
the Department of Human Services, established pursuant to
23 section 40 of P.L. 1944, c. 85 (C. 52:27C-40), is abolished and all
its functions, powers, duties and employees are transferred to the
25 Department of Military and Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 4)

27 6. N.J.S. 38A:3-2 is amended to read as follows:

29 38A:3-2. The Department of Military and Veterans' Affairs
[and Defense] shall consist of:

(a) The Adjutant General;

31 (b) The deputy adjutant general;

(c) The assistant adjutant general, New Jersey Army National
33 Guard;

(d) The assistant adjutant general, New Jersey Air National
35 Guard;

(e) Such officers of the organized militia, active or inactive,
37 authorized by the Governor for duty therein;

(f) Such clerks and employees as may be required, who may be
39 detailed from the organized militia;

(g) State headquarters for selective service;

- 1 (h) The organized militia;
- (i) The Administrator of Veterans' Affairs;
- 3 (j) The Director of the Division of Veterans' Administrative Services;
- 5 (k) The Director of the Division of Veterans' Loans, Grants and Services; and
- 7 (l) The Director of the Division of Veterans' Training, Information and Referrals.
- 9 (cf: P.L. 1987, c. 444, s. 5)

11 7. 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:

13 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

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

19 (cf: P.L. 1987, c. 444, s. 30)

21 8. Section 2 of P.L. 1973, c. 284 (C. 38A:3-2.2) is amended to read as follows:

23 2. The Adjutant General, Department of [Defense] Military and Veterans' Affairs, shall have the power to promulgate regulations pursuant to the New Jersey Administrative Procedure Act to carry out the purposes of this act which may be required by federal law.

27 (cf: P.L. 1984, c. 181, s. 5)

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

29 38A:3-3. The head of the Department of Military and Veterans' Affairs [and Defense] shall be the Adjutant General, who shall be appointed with the grade of major general of the line, New Jersey Army National Guard, or major general, New Jersey Air National Guard, by the Governor, with the advice and consent of the Senate, from:

35 (a) Federally recognized general officers in the national guard who have served therein for the preceding 10 years; or

37 (b) Federally recognized commissioned officers in the national guard, who have served therein for the preceding 10 years and are now serving in a military grade not below that of a colonel, such

39

1 officers having the qualifications to become federally-recognized
2 as brigadier general of the line, New Jersey Army National
3 Guard, or brigadier general, New Jersey Air National Guard.
(cf: P.L. 1987, c. 444, s. 7)

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

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

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

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

17 (c) [Supervise, administer, coordinate and command State civil
18 defense and disaster control activities.] (Deleted by amendment,
19 P.L. , c.).

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

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

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

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

(h) Establish and maintain such headquarters as may be

1 required for the militia.

3 (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.

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

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

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

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

23 (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
25 to be necessary for efficient and effective operation.

27 (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
29 as may be authorized by law.

31 (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.

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

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

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

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

10 (u) Supervise and operate the [State veterans' homes and
11 cemeteries] New Jersey Veterans Memorial Home-Merlo Park,
12 the New Jersey Veterans Memorial Home-Vineland, the New
13 Jersey Veterans Memorial Home-Paramus and the New Jersey
14 Veterans Memorial Cemetery-Arneytown.

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

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

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

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

25 (cf: P.L. 1983, c. 444, s. 8)

26 11. N.J.S. 38A:3-8 is amended to read as follows:

27 38A:3-8. The personnel of the Department of Military and
28 Veterans' Affairs [and Defense] shall consist of the following
29 classes of persons:

30 (a) Officers and enlisted members who are ordered to active
31 duty on a permanent duty status, with the pay allowances of their
32 grade and length of service in accordance with section 38A:4-3 of
33 this title.

34 (b) Classified civil service employees.

35 (c) Unclassified civil service employees, who may be relieved,
36 suspended or discharged for good cause. Such personnel shall be
37 administered as far as practicable under similar regulations as
38 those applicable to classified civil service, but shall be subject to
39 military discipline and control as the Adjutant General deems

1 appropriate, and shall include all personnel employed for the
maintenance of armories.

3 (d) Technicians paid from federal funds. Such personnel shall
be appointed by the Adjutant General, who shall determine their
5 salaries and who may relieve, suspend or discharge such persons
at any time for good cause, and shall be subject to military
7 discipline and control.

(cf: P.L. 1987, c. 444, s. 9)

9 12. N.J.S. 38A:3-11 is amended to read as follows:

38A:3-11. The Adjutant General shall have an appropriate seal
11 and have affixed an impression of the same to all certificates of
record issued from the Department of Military and Veterans'
13 Affairs [and Defense]. Copies of any books, records, papers and
documents, in the Department of Military and Veterans' Affairs
15 [and Defense] certified by the Adjutant General or other
designated officer of the department, under seal of the
17 Department of Military and Veterans' Affairs [and Defense] shall
be admitted as evidence in any court of the State, either civil or
19 military, with the same force and effect as if the original had
been produced.

21 (cf: P.L. 1987, c. 444, s. 10)

13. N.J.S. 38A:10-3 is amended to read as follows:

23 38A:10-3. The military courts for the militia of this State
shall be constituted like similar courts of the armed forces of the
25 United States. They shall have the jurisdiction and powers,
except as to punishments, and shall follow the forms and
27 procedures provided for those courts. The convening authority
for such military courts and maximum punishments authorized
29 shall be as prescribed by federal and State laws and regulations
applicable to the national guard; provided, however, that special
31 courts-martial may be convened only with the approval of the
Adjutant General, Department of [Defense] Military and
33 Veterans' Affairs.

(cf: P.L. 1984, c. 181, s. 17)

35 14. N.J.S. 38A:12-1 is amended to read as follows:

37 38A:12-1. The Adjutant General is authorized to lease or
acquire by gift, grant, purchase, exchange, eminent domain, or in
any other lawful manner, in the name of and for the use of the
39 State of New Jersey such real property as shall be necessary for

1 the purpose of armories or other military and veterans' facilities.

3 No real property leased by this State or the United States for
armories or other military and veterans' facilities shall be
5 subject to condemnation proceedings without first obtaining the
approval of the Governor.

(cf: P.L. 1984, c. 181, s. 22)

7 15. N.J.S. 38A:12-3 is amended to read as follows:

38A:12-3. The Adjutant General shall, in compliance with the
9 provisions of P.L. 1954, c. 48 (C. 52:34-6 et seq.), supervise the
construction, repair and alterations of armories and other
11 military and veterans' facilities.

(cf: P.L. 1984, c. 181, s. 23)

13 16. N.J.S. 38A:12-4 is amended to read as follows:

38A:12-4. The Adjutant General, on behalf of the State is
15 authorized to make application for, and accept from, the federal
government, or any agency thereof, a grant of money to pay part,
17 or all of the cost of constructing armories or other military and
veterans' facilities.

19 There shall be appropriated to the State Department of
[Defense] Military and Veterans' Affairs from time to time, such
21 sums as may be necessary to meet the State's share, or the
entire cost of such construction, when included in any annual or
23 supplemental appropriation act.

(cf: P.L. 1984, c. 181, s. 24)

25 17. N.J.S. 38A:12-5 is amended to read as follows:

38A:12-5. The Adjutant General may lease, rent or permit the
27 use of any armory or other military and veterans' facility, or any
part thereof, for nonmilitary purposes, under such restrictions
29 and for such compensation, if any, as he may by regulations
prescribe.

31 (cf: P.L. 1984, c. 181, s. 25)

18. N.J.S. 38A:12-6 is amended to read as follows:

33 38A:12-6. When any buildings and real property have been
declared by the Adjutant General to be surplus or unsuitable for
35 military or veterans' purposes and their sale has been authorized
by the governor, the Adjutant General, on behalf of the State, is
37 authorized to convey such buildings and real property to the
county or municipality in which the same are situate, or to other
39 purchasers, at such price and upon such terms and conditions as

1 shall be approved by the State House Commission.

3 Furthermore, if it will not interfere with or impair military or
veterans' activities, the Adjutant General, on behalf of the
5 State, may convey an easement to the county or municipality in
which the land is situated or to a public utility company
7 organized under Title 48 of the Revised Statutes at such price
and upon such terms and conditions as shall be approved by the
State House Commission.

9 (cf: P.L. 1984, c. 181, s. 26)

19. N.J.S. 38A:13-9 is amended to read as follows:

11 38A:13-9. The death benefit provided for in section 1 of this
act shall not be payable where there is a lump sum death benefit
13 payable as a result of the deceased militiaman's membership in a
public employees' pension system, or when the militiaman was
15 detailed to the Department of [Defense] Military and Veterans'
Affairs in a permanent duty status and entitled to benefits out of
17 Federal funds.

(cf: P.L. 1968, c. 278, s. 2)

19 20. Section 17 of P.L. 1987, c. 444 is amended to read as
follows:

21 17. The Veterans' Services Council, established pursuant to
section 22 of P.L. 1948, c. 448 (C. 13:1B-20), together with all its
23 powers, functions and duties, is continued and transferred to the
Department of Military and Veterans' Affairs [and Defense].
25 This act shall not affect the terms of office of the present
members of the council, except that if there are less than two
27 women members of the council following the enactment of this
1987 amendatory and supplementary act, the Governor shall
29 appoint such members upon the expiration of the terms of two
male members.

31 (cf: P.L. 1987, c. 444, s. 17)

33 21. Section 22 of P.L. 1948, c. 448 (C. 13:1B-20) is amended to
read as follows:

35 22. There shall be within the Department of Military and
Veterans' Affairs [and Defense], a Veterans' Services Council
which shall consist of nine members and shall include no less than
37 two women. Each member of the council shall be a veteran, and
shall be appointed by the Governor, with the advice and consent
39 of the Senate, for a term of four years and shall serve until his

1 successor has been appointed and has qualified, except that of the
2 first appointments hereunder, two shall be for a term of one year,
3 two for two years, two for three years, and three for four years.
4 All appointments to the council shall be made in consultation
5 with the leaders of all federally-chartered veterans'
6 organizations in the State.

7 Each Governor shall designate one of the members of the
8 council as chairman of such council. Any member of the council
9 so designated shall serve as such chairman at the pleasure of the
10 Governor designating him and until his successor has been
11 designated. The chairman of the council shall be its presiding
12 officer.

13 Any vacancies in the membership of said council occurring
14 other than by expiration of term shall be filled by the Governor,
15 with the advice and consent of the Senate, for the unexpired term
16 only. Any member of the council may be removed from office by
17 the Governor, for cause, upon notice and opportunity to be heard.

18 The members of the council shall serve without compensation
19 but shall be reimbursed for necessary expenses incurred in the
20 performance of their duties.

21 (cf: P.L. 1987, c. 444, s. 18)

22 Section 19 of P.L. 1987, c. 444 is amended to read as
23 follows:

24 19. The Veterans' Facilities Council, established pursuant to
25 P.L. 1971, c. 344 (C. 30:6AA-11 et seq.), together with all its
26 powers, functions and duties, is continued and transferred to the
27 Department of Military and Veterans' Affairs [and Defense].
28 This act shall not affect the terms of office of the present
29 members of the council.

(cf: P.L. 1987, c. 444, s. 19)

30 23. Section 20 of P.L. 1987, c. 444 is amended to read as
31 follows:

32 20. The Blind Veterans' Allowance Program, established
33 pursuant to R.S. 38:18-1 et seq., shall be administered by the
34 Department of Military and Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 20)

35 24. Section 21 of P.L. 1987, c. 444 is amended to read as
36 follows:

37 21. The Paraplegic and Hemiplegic Veterans' Allowance
38
39

1 Program, established pursuant to P.L. 1947, c. 263 (C. 38:18A-1
2 et seq.), shall be administered by the Department of Military and
3 Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 21)

5 25. Section 22 of P.L. 1987, c. 444 is amended to read as
follows:

7 22. The veterans' loan authority, established pursuant to P.L.
1944, c. 126 (C. 38:23B-1 et seq.), together with all its functions,
9 powers and duties, is continued and transferred to the
Department of Military and Veterans' Affairs [and Defense].

11 (cf: P.L. 1987, c. 444, s. 22)

13 26. Section 23 of P.L. 1987, c. 444 is amended to read as
follows:

15 23. The Vietnam Veterans' Memorial Committee, established
pursuant to section 2 of P.L. 1985, c. 494, together with all its
powers, functions and duties, is continued and transferred to the
17 Department of Military and Veterans' Affairs [and Defense].
The act shall not affect the terms of office of the present
19 members of the commission.

(cf: P.L. 1987, c. 444, s. 23)

21 27. Section 24 of P.L. 1987, c. 444 is amended to read as
follows:

23 24. The New Jersey [Veterans'] Veterans Memorial Cemetery
[at]-Arneytown, built in part by funds appropriated pursuant to
25 P.L. 1985, c. 149, shall be administered by the Department of
Military and Veterans' Affairs [and Defense].

27 (cf: P.L. 1987, c. 444, s. 24)

29 28. Section 25 of P.L. 1987, c. 444 is amended to read as
follows:

31 25. The Vietnam Veterans' Outreach Program, first funded by
State moneys during fiscal year 1984 pursuant to P.L. 1983, c.
240, shall be administered by the Department of Military and
33 Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 25)

35 29. Section 26 of P.L. 1987, c. 444 is amended to read as
follows:

37 26. The Agent Orange Commission, established pursuant to
P.L. 1979, c. 443, together with its powers, functions and duties,
39 is continued and transferred to the Department of Military and

1 **Veterans' Affairs [and Defense].**

(cf: P.L. 1987, c. 444, s. 26)

3 30. Section 3 of P.L. 1979, c. 443 is amended to read as follows:

5 3. There is established in the Department of Military and
7 Veterans' Affairs [and Defense] an Agent Orange Commission
9 which shall be composed of nine members to be appointed by the
11 Governor of whom at least four shall be Vietnam era veterans.
13 The members of the commission shall serve without compensation
15 but shall be entitled to reimbursement by the commission for
17 expenses necessarily incurred in the performance of their duties.
19 The commission shall employ an executive director and such
21 clerical support as is necessary to effectuate the purposes of this
23 act.

(cf: P.L. 1987, c. 444, s. 27)

31. Section 5 of P.L. 1979, c. 443 is amended to read as follows:

5. The Division of Veterans' Loans, Grants and Services in the
19 Department of Military and Veterans' Affairs [and Defense] shall
21 render all assistance requested by the commission to effectuate
23 the purposes of this act.

(cf: P.L. 1987, c. 444, s. 28)

32. R.S. 30:1-7 is amended to read as follows:

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

Trenton Psychiatric Hospital,
31 Greystone Park Psychiatric Hospital,
Marlboro Psychiatric Hospital,
33 Ancora Psychiatric Hospital,
Senator Garrett W. Hagedorn Center for Geriatrics,
35 The Forensic Psychiatric Hospital,
North Princeton Developmental Center,
37 North Jersey Developmental Center,
New Lisbon Developmental Center,
39 Woodbine Developmental Center,

- 1 **Vineland Developmental Center,**
2 **Woodbridge Developmental Center,**
3 **Hunterdon Developmental Center,**
4 **Developmental Center at Ancora,**
5 **[New Jersey Memorial Home for Disabled Soldiers at Menlo**
6 **Park,**
7 **New Jersey Memorial Home for Disabled Soldiers, Sailors,**
8 **Marines and their Wives and Widows at Vineland,]**
9 **Diagnostic Center at Menlo Park,**
10 **Arthur Brisbane Child Center at Allaire,**
11 **Board of Public Welfare,**
12 **Commission for the Blind and Visually Impaired.**
13 **The correctional institutions of this State, within the meaning**
14 **of this Title, shall include the following and, as well, any**
15 **institution established hereafter for any similar purpose, as now**
16 **established and as the same are to be hereafter maintained and**
17 **operated pursuant to law:**
18 **New Jersey State Prison,**
19 **East Jersey State Prison,**
20 **Bayside State Prison,**
21 **Riverfront State Prison,**
22 **Northern State Prison,**
23 **Garden State Reception and Youth Correctional Facility,**
24 **Albert C. Wagner Youth Correctional Facility,**
25 **Edna Mahan Correctional Facility for Women,**
26 **Mountainview Youth Correctional Facility,**
27 **New Jersey Training School for Boys,**
28 **Lloyd McCorkle Training School for Boys and Girls.**
29 **(cf: P.L. 1987, c. 304, s. 1)**
30 **33. (New section) Whenever any statute shall refer to the**
31 **Department of Defense or the Department of Veterans' Affairs**
32 **and Defense, the same shall mean the Department of Military and**
33 **Veterans' Affairs.**
34 **34. Section 1 of P.L. 1973, c. 284 (C. 38A:3-2.1) is repealed.**
35 **35. This act shall take effect immediately.**

1

STATEMENT

3 **This bill renames the Department of Veterans' Affairs and**
5 **Defense as the Department of Military and Veterans' Affairs. It**
7 **also clarifies that the responsibility for administering the**
9 **veterans nursing homes has been transferred from the**
11 **Department of Human Services to the Adjutant General in the**
13 **Department of Military and Veterans' Affairs. In addition, the**
15 **bill repeals and deletes references to the department's civil**
17 **defense duties since civil defense functions were transferred to**
19 **the Department of Law and Public Safety by Executive Order 101**
 of 1980.

13

15

STATE GOVERNMENT

Veterans

17

19 **Renames Department of Veterans' Affairs and Defense as the**
 Department of Military and Veterans' Affairs.

ASSEMBLY, No. 3265

STATE OF NEW JERSEY

INTRODUCED MAY 23, 1988

By Assemblyman GENOVA

1 AN ACT renaming the Department of Veterans' Affairs and
2 Defense as the Department of Military and Veterans' Affairs
3 and revising and repealing parts of the statutory law.

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

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

38A:1-1. The following definitions apply to this Title:

9 (a) "Militia" means all the military forces of this State,
whether organized, or active or inactive.

11 (b) "National Guard" means the Army National Guard and the
Air National Guard.

13 (c) "Army National Guard" means that part of the organized
14 militia that is a land force, is trained and has its officers
15 appointed under the sixteenth clause of section 8, Article I of the
Constitution of the United States, is organized, armed and
17 equipped wholly or partly at Federal expense, and is Federally
recognized.

19 (d) "Army National Guard of the United States" is the reserve
component of the Army of the United States all of whose
21 members are members of the Army National Guard.

(e) "Air National Guard" means that part of the organized
23 militia that is an air force, is trained and has its officers
appointed under the sixteenth clause of section 8, Article I, of
25 the Constitution of the United States, is organized, armed and
equipped wholly or partly at Federal expense, and is Federally
27 recognized.

(f) "Air National Guard of the United States" means the
29 reserve component of the Air Force of the United States all of
whose members are members of the Air National Guard.

31 (g) "Armed forces" means the land, air and sea forces
established by State or Federal laws, as applicable.

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 (h) "Military" means any part of or all of the armed forces.

3 (i) "Active duty" means full-time duty in the active military
service, other than active duty for training. State service is
meant unless Federal service is specified.

5 (j) "Active duty for training" means full-time duty in the
active military service for training purposes. State service is
7 meant unless Federal service is specified.

9 (k) "Inactive duty training" means duty performed by a
member of the organized militia other than active duty or active
duty for training.

11 (l) "Officer" means commissioned officer or warrant officer.

13 (m) "Grade" means a step or degree, in a graduated field of
office or military rank, that is established and designated as a
grade by law or regulation.

15 (n) "Rank" means the order of precedence among members of
the armed forces.

17 (o) "Permanent duty status" means full-time employment of a
member of the organized militia ordered to active duty by the
19 Governor to serve in the Department of [Defense] Military and
Veterans' Affairs.

21 (p) "Shall" is used in an imperative sense.

(q) "Will" is used in a permissive sense.

23 (r) "Regulations" means the rules and regulations on the
governing and training of the militia.

25 (s) "Federal service" means duty in the active service of the
United States.

27 (t) "Armory" means any building or training installation
utilized by the organized militia.

29 (cf: N.J.S. 38A:1-1)

2. N.J.S. 38A:2-2 is amended to read as follows:

31 38A:2-2. The staff of the Governor shall consist of:

33 (a) Executive: The Adjutant General of the State Department
of [Defense] Military and Veterans' Affairs.

35 (b) Personnel: Such aides as may be appointed or detailed by
the Governor from among the officers of the organized militia, in
a grade not higher than the one held in the organized militia or in
37 federal service, whose term of office, unless sooner terminated,
shall expire with that of the Governor who shall have appointed
39 or detailed them.

(cf: P.L. 1984, c. 181, s. 3)

1 3. Section 2 of P.L. 1987, c. 444 (C. 38A:3-1.2) is amended to
read as follows:

3 2. As used in chapter 3 of Title 38A of the New Jersey
Statutes:

5 a. "Department" means the Department of Military and
Veterans' Affairs [and Defense] established pursuant to N.J.S.
7 38A:3-1 et seq. as amended [by this 1987 amendatory and
supplementary act];

9 b. "Veteran" means any person who has served in any branch
of the armed forces of the United States for at least 90 days,
11 except that if the term "veteran" is defined differently in any of
the statutes cited by this act or in any federal statute, that
13 definition shall be applicable for the purposes of those statutes.

(cf: P.L. 1987, c. 444, s. 2)

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

17 38A:3-1. The Department of Military and Veterans' Affairs
[and Defense] shall be a principal department in the executive
branch of the State Government.

19 (cf: P.L. 1987, c. 444, s. 3)

21 5. Section 4 of P.L. 1987, c. 444 is amended to read as follows:

23 4. The Division of Veterans' Programs and Special Services in
the Department of Human Services, established pursuant to
25 section 40 of P.L. 1944, c. 85 (C. 52:27C-40), is abolished and all
its functions, powers, duties and employees are transferred to the
Department of Military and Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 4)

27 6. N.J.S. 38A:3-2 is amended to read as follows:

29 38A:3-2. The Department of Military and Veterans' Affairs
[and Defense] shall consist of:

(a) The Adjutant General;

31 (b) The deputy adjutant general;

(c) The assistant adjutant general, New Jersey Army National
33 Guard;

(d) The assistant adjutant general, New Jersey Air National
35 Guard;

(e) Such officers of the organized militia, active or inactive,
37 authorized by the Governor for duty therein;

(f) Such clerks and employees as may be required, who may be
39 detailed from the organized militia;

- 1 (g) State headquarters for selective service;
2 (h) The organized militia;
3 (i) The Administrator of Veterans' Affairs;
4 (j) The Director of the Division of Veterans' Administrative
5 Services;
6 (k) The Director of the Division of Veterans' Loans, Grants
7 and Services; and
8 (l) The Director of the Division of Veterans' Training,
9 Information and Referrals.

(cf: P.L. 1987, c. 444, s. 5)

11 7. Section 30 of P.L. 1987, c. 444 (C. 38A:3-2b) is amended to
read as follows:

13 30. The Division of Veterans' Administrative Services shall:

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

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

(cf: P.L. 1987, c. 444, s. 30)

21 8. Section 2 of P.L. 1973, c. 284 (C. 38A:3-2.2) is amended to
read as follows:

23 2. The Adjutant General, Department of [Defense] Military
24 and Veterans' Affairs, shall have the power to promulgate
25 regulations pursuant to the New Jersey Administrative Procedure
26 Act to carry out the purposes of this act which may be required
27 by federal law.

(cf: P.L. 1984, c. 181, s. 5)

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

30 38A:3-3. The head of the Department of Military and
31 Veterans' Affairs [and Defense] shall be the Adjutant General,
32 who shall be appointed with the grade of major general of the
33 line, New Jersey Army National Guard, or major general, New
34 Jersey Air National Guard, by the Governor, with the advice and
35 consent of the Senate, from:

36 (a) Federally recognized general officers in the national guard
37 who have served therein for the preceding 10 years; or

38 (b) Federally recognized commissioned officers in the national
39 guard, who have served therein for the preceding 10 years and are

1 now serving in a military grade not below that of a colonel, such
2 officers having the qualifications to become federally-recognized
3 as brigadier general of the line, New Jersey Army National
Guard, or brigadier general, New Jersey Air National Guard.

5 (cf: P.L. 1987, c. 444, s. 7)

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

7 38A:3-6. Under the direction of the Governor, the Adjutant
General shall:

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

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

(c) [Supervise, administer, coordinate and command State civil
19 defense and disaster control activities.] (Deleted by amendment,
P.L. , c.).

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

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

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

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

39 (h) Establish and maintain such headquarters as may be

1 required for the militia.

3 (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.

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

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

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

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

23 (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
25 to be necessary for efficient and effective operation.

27 (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
29 as may be authorized by law.

31 (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.

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

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

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

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

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

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

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

(x) Administer the federally-funded training and rehabilitation
21 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
23 and federal veterans' programs and benefits.

25 (cf: P.L. 1983, c. 444, s. 8)

11. N.J.S. 38A:3-8 is amended to read as follows:

27 38A:3-8. The personnel of the Department of Military and
Veterans' Affairs [and Defense] shall consist of the following
29 classes of persons:

(a) Officers and enlisted members who are ordered to active
31 duty on a permanent duty status, with the pay allowances of their
grade and length of service in accordance with section 38A:4-3 of
33 this title.

(b) Classified civil service employees.

35 (c) Unclassified civil service employees, who may be relieved,
suspended or discharged for good cause. Such personnel shall be
37 administered as far as practicable under similar regulations as
those applicable to classified civil service, but shall be subject to
39 military discipline and control as the Adjutant General deems

1 appropriate, and shall include all personnel employed for the
maintenance of armories.

3 (d) Technicians paid from federal funds. Such personnel shall
be appointed by the Adjutant General, who shall determine their
5 salaries and who may relieve, suspend or discharge such persons
at any time for good cause, and shall be subject to military
7 discipline and control.

(cf: P.L. 1987, c. 444, s. 9)

9 12. N.J.S. 38A:3-11 is amended to read as follows:

38A:3-11. The Adjutant General shall have an appropriate seal
11 and have affixed an impression of the same to all certificates of
record issued from the Department of Military and Veterans'
13 Affairs [and Defense]. Copies of any books, records, papers and
documents, in the Department of Military and Veterans'
15 Affairs [and Defense] certified by the Adjutant General or other
designated officer of the department, under seal of the
17 Department of Military and Veterans' Affairs [and Defense] shall
be admitted as evidence in any court of the State, either civil or
19 military, with the same force and effect as if the original had
been produced.

21 (cf: P.L. 1987, c. 444, s. 10)

13. N.J.S. 38A:10-3 is amended to read as follows:

23 38A:10-3. The military courts for the militia of this State
shall be constituted like similar courts of the armed forces of the
25 United States. They shall have the jurisdiction and powers,
except as to punishments, and shall follow the forms and
27 procedures provided for those courts. The convening authority
for such military courts and maximum punishments authorized
29 shall be as prescribed by federal and State laws and regulations
applicable to the national guard; provided, however, that special
31 courts-martial may be convened only with the approval of the
Adjutant General, Department of [Defense] Military and
33 Veterans' Affairs.

(cf: P.L. 1984, c. 181, s. 17)

35 14. N.J.S. 38A:12-1 is amended to read as follows:

37 38A:12-1. The Adjutant General is authorized to lease or
acquire by gift, grant, purchase, exchange, eminent domain, or in
any other lawful manner, in the name of and for the use of the
39 State of New Jersey such real property as shall be necessary for

1 the purpose of armories or other military and veterans' facilities.

2 No real property leased by this State or the United States for
3 armories or other military and veterans' facilities shall be
4 subject to condemnation proceedings without first obtaining the
5 approval of the Governor.

(cf: P.L. 1984, c. 181, s. 22)

7 15. N.J.S. 38A:12-3 is amended to read as follows:

8 38A:12-3. The Adjutant General shall, in compliance with the
9 provisions of P.L. 1954, c. 48 (C. 52:34-6 et seq.), supervise the
10 construction, repair and alterations of armories and other
11 military and veterans' facilities.

(cf: P.L. 1984, c. 181, s. 23)

13 16. N.J.S. 38A:12-4 is amended to read as follows:

14 38A:12-4. The Adjutant General, on behalf of the State is
15 authorized to make application for, and accept from, the federal
16 government, or any agency thereof, a grant of money to pay part,
17 or all of the cost of constructing armories or other military and
veterans' facilities.

18 There shall be appropriated to the State Department of
19 [Defense] Military and Veterans' Affairs from time to time, such
20 sums as may be necessary to meet the State's share, or the
21 entire cost of such construction, when included in any annual or
22 supplemental appropriation act.

(cf: P.L. 1984, c. 181, s. 24)

25 17. N.J.S. 38A:12-5 is amended to read as follows:

26 38A:12-5. The Adjutant General may lease, rent or permit the
27 use of any armory or other military and veterans' facility, or any
28 part thereof, for nonmilitary purposes, under such restrictions
29 and for such compensation, if any, as he may by regulations
prescribe.

31 (cf: P.L. 1984, c. 181, s. 25)

32 18. N.J.S. 38A:12-6 is amended to read as follows:

33 38A:12-6. When any buildings and real property have been
34 declared by the Adjutant General to be surplus or unsuitable for
35 military or veterans' purposes and their sale has been authorized
36 by the governor, the Adjutant General, on behalf of the State, is
37 authorized to convey such buildings and real property to the
38 county or municipality in which the same are situate, or to other
39 purchasers, at such price and upon such terms and conditions as

1 shall be approved by the State House Commission.

3 Furthermore, if it will not interfere with or impair military or
4 veterans' activities, the Adjutant General, on behalf of the
5 State, may convey an easement to the county or municipality in
6 which the land is situated or to a public utility company
7 organized under Title 48 of the Revised Statutes at such price
8 and upon such terms and conditions as shall be approved by the
9 State House Commission.

9 (cf: P.L. 1984, c. 181, s. 26)

19. N.J.S. 38A:13-9 is amended to read as follows:

11 38A:13-9. The death benefit provided for in section 1 of this
12 act shall not be payable where there is a lump sum death benefit
13 payable as a result of the deceased militiaman's membership in a
14 public employees' pension system, or when the militiaman was
15 detailed to the Department of [Defense] Military and Veterans'
16 Affairs in a permanent duty status and entitled to benefits out of
17 Federal funds.

(cf: P.L. 1968, c. 278, s. 2)

19 20. Section 17 of P.L. 1987, c. 444 is amended to read as
20 follows:

21 17. The Veterans' Services Council, established pursuant to
22 section 22 of P.L. 1948, c. 448 (C. 13:1B-20), together with all its
23 powers, functions and duties, is continued and transferred to the
24 Department of Military and Veterans' Affairs [and Defense].
25 This act shall not affect the terms of office of the present
26 members of the council, except that if there are less than two
27 women members of the council following the enactment of this
28 1987 amendatory and supplementary act, the Governor shall
29 appoint such members upon the expiration of the terms of two
30 male members.

31 (cf: P.L. 1987, c. 444, s. 17)

32 21. Section 22 of P.L. 1948, c. 448 (C. 13:1B-20) is amended to
33 read as follows:

34 22. There shall be within the Department of Military and
35 Veterans' Affairs [and Defense], a Veterans' Services Council
36 which shall consist of nine members and shall include no less than
37 two women. Each member of the council shall be a veteran, and
38 shall be appointed by the Governor, with the advice and consent
39 of the Senate, for a term of four years and shall serve until his

1 successor has been appointed and has qualified, except that of the
first appointments hereunder, two shall be for a term of one year,
3 two for two years, two for three years, and three for four years.
All appointments to the council shall be made in consultation
5 with the leaders of all federally-chartered veterans'
organizations in the State.

7 Each Governor shall designate one of the members of the
council as chairman of such council. Any member of the council
9 so designated shall serve as such chairman at the pleasure of the
Governor designating him and until his successor has been
11 designated. The chairman of the council shall be its presiding
officer.

13 Any vacancies in the membership of said council occurring
other than by expiration of term shall be filled by the Governor,
15 with the advice and consent of the Senate, for the unexpired term
only. Any member of the council may be removed from office by
17 the Governor, for cause, upon notice and opportunity to be heard.

The members of the council shall serve without compensation
19 but shall be reimbursed for necessary expenses incurred in the
performance of their duties.

21 (cf: P.L. 1987, c. 444, s. 18)

22. Section 19 of P.L. 1987, c. 444 is amended to read as
23 follows:

19. The Veterans' Facilities Council, established pursuant to
25 P.L. 1971, c. 344 (C. 30:6AA-11 et seq.), together with all its
powers, functions and duties, is continued and transferred to the
27 Department of Military and Veterans' Affairs [and Defense].
This act shall not affect the terms of office of the present
29 members of the council.

(cf: P.L. 1987, c. 444, s. 19)

31 23. Section 20 of P.L. 1987, c. 444 is amended to read as
follows:

33 20. The Blind Veterans' Allowance Program, established
pursuant to R.S. 38:18-1 et seq., shall be administered by the
35 Department of Military and Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 20)

37 24. Section 21 of P.L. 1987, c. 444 is amended to read as
follows:

39 21. The Paraplegic and Hemiplegic Veterans' Allowance

1 Program, established pursuant to P.L. 1947, c. 263 (C. 38:18A-1
2 et seq.), shall be administered by the Department of Military and
3 Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 21)

5 25. Section 22 of P.L. 1987, c. 444 is amended to read as
6 follows:

7 22. The veterans' loan authority, established pursuant to P.L.
8 1944, c. 126 (C. 38:23B-1 et seq.), together with all its functions,
9 powers and duties, is continued and transferred to the
10 Department of Military and Veterans' Affairs [and Defense].

11 (cf: P.L. 1987, c. 444, s. 22)

12 26. Section 23 of P.L. 1987, c. 444 is amended to read as
13 follows:

14 23. The Vietnam Veterans' Memorial Committee, established
15 pursuant to section 2 of P.L. 1985, c. 494, together with all its
16 powers, functions and duties, is continued and transferred to the
17 Department of Military and Veterans' Affairs [and Defense].
18 The act shall not affect the terms of office of the present
19 members of the commission.

(cf: P.L. 1987, c. 444, s. 23)

21 27. Section 24 of P.L. 1987, c. 444 is amended to read as
22 follows:

23 24. The New Jersey [Veterans'] Veterans Memorial Cemetery
24 [at]-Arneytown, built in part by funds appropriated pursuant to
25 P.L. 1985, c. 149, shall be administered by the Department of
26 Military and Veterans' Affairs [and Defense].

27 (cf: P.L. 1987, c. 444, s. 24)

28 28. Section 25 of P.L. 1987, c. 444 is amended to read as
29 follows:

30 25. The Vietnam Veterans' Outreach Program, first funded by
31 State moneys during fiscal year 1984 pursuant to P.L. 1983, c.
32 240, shall be administered by the Department of Military and
33 Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 25)

35 29. Section 26 of P.L. 1987, c. 444 is amended to read as
36 follows:

37 26. The Agent Orange Commission, established pursuant to
38 P.L. 1979, c. 443, together with its powers, functions and duties,
39 is continued and transferred to the Department of Military and

1 Veterans' Affairs [and Defense].

(cf: P.L. 1987, c. 444, s. 26)

3 30. Section 3 of P.L. 1979, c. 443 is amended to read as follows:

5 3. There is established in the Department of Military and
7 Veterans' Affairs [and Defense] an Agent Orange Commission
9 which shall be composed of nine members to be appointed by the
11 Governor of whom at least four shall be Vietnam era veterans.
13 The members of the commission shall serve without compensation
15 but shall be entitled to reimbursement by the commission for
expenses necessarily incurred in the performance of their duties.
The commission shall employ an executive director and such
clerical support as is necessary to effectuate the purposes of this
act.

(cf: P.L. 1987, c. 444, s. 27)

17 31. Section 5 of P.L. 1979, c. 443 is amended to read as follows:

19 5. The Division of Veterans' Loans, Grants and Services in the
21 Department of Military and Veterans' Affairs [and Defense] shall
render all assistance requested by the commission to effectuate
the purposes of this act.

(cf: P.L. 1987, c. 444, s. 28)

23 32. R.S. 30:1-7 is amended to read as follows:

25 30:1-7. The charitable, hospital, relief and training institutions
27 and noninstitutional agencies of this State, within the meaning of
this Title, shall include the following, and, as well, any institution
29 established hereafter for any similar purpose, as now established
and as the same are to be hereafter maintained and operated
pursuant to law:

31 Trenton Psychiatric Hospital,
33 Greystone Park Psychiatric Hospital,
Marlboro Psychiatric Hospital,
35 Ancora Psychiatric Hospital,
Senator Garrett W. Hagedorn Center for Geriatrics,
37 The Forensic Psychiatric Hospital,
North Princeton Developmental Center,
39 North Jersey Developmental Center,
New Lisbon Developmental Center,
Woodbine Developmental Center,

1 Vineland Developmental Center,
Woodbridge Developmental Center,
3 Hunterdon Developmental Center,
Developmental Center at Ancora,
5 [New Jersey Memorial Home for Disabled Soldiers at Menlo
Park,
7 New Jersey Memorial Home for Disabled Soldiers, Sailors,
Marines and their Wives and Widows at Vineland,]
9 Diagnostic Center at Menlo Park,
Arthur Brisbane Child Center at Allaire,
11 Board of Public Welfare,
Commission for the Blind and Visually Impaired.

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

New Jersey State Prison,
19 East Jersey State Prison,
Bayside State Prison,
21 Riverfront State Prison,
Northern State Prison,
23 Garden State Reception and Youth Correctional Facility,
Albert C. Wagner Youth Correctional Facility,
25 Edna Mahan Correctional Facility for Women,
Mountainview Youth Correctional Facility,
27 New Jersey Training School for Boys,
Lloyd McCorkle Training School for Boys and Girls.

29 (cf: P.L. 1987, c. 304, s. 1)

33. (New section) Whenever any statute shall refer to the
31 Department of Defense or the Department of Veterans' Affairs
and Defense, the same shall mean the Department of Military and
33 Veterans' Affairs.

34. Section 1 of P.L. 1973, c. 284 (C. 38A:3-2.1) is repealed.

35 35. This act shall take effect immediately.

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STATEMENT

3 This bill renames the Department of Veterans' Affairs and
Defense as the Department of Military and Veterans' Affairs. It
5 also clarifies that the responsibility for administering the
veterans nursing homes has been transferred from the
7 Department of Human Services to the Adjutant General in the
Department of Military and Veterans' Affairs. In addition, the
9 bill repeals and deletes references to the department's civil
defense duties since civil defense functions were transferred to
11 the Department of Law and Public Safety by Executive Order 101
of 1980.

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STATE GOVERNMENT

Veterans

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19 Renames Department of Veterans' Affairs and Defense as the
Department of Military and Veterans' Affairs.

ASSEMBLY VETERANS AFFAIRS AND DEFENSE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3265

STATE OF NEW JERSEY

DATED: JUNE 9, 1988

The Assembly Veterans Affairs and Defense Committee reports favorably Assembly, No. 3265.

This bill renames the Department of Veterans' Affairs and Defense as the Department of Military and Veterans' Affairs.

Additionally, the bill: (1) clarifies that the responsibility for administering the State veterans nursing facilities has been transferred from the Commissioner of the Department of Human Services to the Adjutant General in the Department of Military and Veterans' Affairs; (2) 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; (3) officially names the veterans nursing facility at Paramus the New Jersey Veterans Memorial Home-Paramus; and (4) officially names the State veterans' cemetery the New Jersey Veterans Memorial Cemetery-Arneytown.

The bill also repeals and deletes references to the department's civil defense duties since civil defense functions were transferred to the Department of Law and Public Safety by Executive Order 101 of 1980.

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

STATEMENT TO

ASSEMBLY, No. 3265

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 1988

The Senate State Government, Federal and Interstate Relations and Veterans' Affairs Committee reports favorably Assembly Bill No. 3265.

This bill renames the Department of Veterans' Affairs and Defense as the Department of Military and Veterans' Affairs. It clarifies that the department shall have responsibility for administering veterans nursing homes, cemeteries and facilities. The bill also repeals and deletes references to the department's civil defense duties since those functions were transferred to the Department of Law and Public Safety by Executive Order 101 of 1980.

In addition, the bill names the State veterans homes as the New Jersey Veterans Memorial Home--Menlo Park, the New Jersey Veterans Memorial Home--Vineland, and the New Jersey Veterans Memorial Home--Paramus and names the State veterans cemetery as the New Jersey Veterans Memorial Cemetery--Arneytown.

This bill is the same as Senate, No. 2484 [1R].